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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Gracious Savior, lead our lives so we will bring You pleasure, receiving the smile of Heaven's approval.

Guide our Senators, inspiring them to do justly, to love mercy, and to embrace humility as they walk with You. Lord, strengthen them, making them eager to lift burdens and to respond to human needs. In Your unfailing love, give them the wisdom to follow the leading of Your powerful providence. Do for them immeasurably, abundantly, above all that they can ask or imagine.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 18, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable EDWARD J. MARKEY, a

Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. MARKEY thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in a period of morning business, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes.

Following morning business the Senate will resume consideration of the Energy Savings and Industrial Competitiveness Act.

We have tried really hard to work on this Energy bill. It is no wonder the news is reporting today that this is the least productive Senate in the history of the country.

We have a number of Republican Senators and lots of Republican House Members who don't believe in government. They want to get rid of it. They are doing everything they can to make that a fact. We are waiting now to see what is going to come from the House to fund government or not fund it. As the Presiding Officer knows, they are obsessed with the constitutional law that has been in effect now for 4 years, declared constitutional by the Supreme Court.

The latest we got from our floor staff is that the Republicans on this Energy bill want five nongermane amendments and whatever other amendments are filed dealing with energy, which means we are not going to finish the legislation. That is an understatement. But we will proceed. We have a number of

issues we are going to work on. We have one that we filed—what is called a rule XIV procedure—yesterday dealing with continuing to allow our high-tech industry to be competitive.

We will move forward doing the best we can. We will wait and see what the House is going to do. They are still struggling to find out which absurd idea is going to prevail over there.

MEASURES PLACED ON THE CALENDAR—S. 1513, S. 1514, H.R. 2009, AND H.R. 2775

Mr. REID. I am told there are four bills at the desk due for second readings.

The ACTING PRESIDENT pro tempore. The clerk will read the bills by title for a second time.

The assistant legislative clerk read as follows:

A bill (S. 1513) to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes.

A bill (S. 1514) to save coal jobs, and for other purposes.

A bill (H.R. 2009) to prohibit the Secretary of the Treasury from enforcing the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010.

A bill (H.R. 2775) to condition the provision of premium and cost-sharing subsidies under the Patient Protection and Affordable Care Act upon a certification that a program to verify household income and other qualifications for such subsidies is operational, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to all of these bills that were just read into the RECORD.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bills will be placed on the calendar under rule XIV.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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HISPANIC HERITAGE MONTH

Mr. REID. Mr. President, each year Hispanic Heritage Month offers an opportunity to honor the contributions of a community that has contributed to our country's progress for centuries.

In the State of Nevada the influence of Hispanic Americans is evident even in the name of the State, which means "snowcapped." Of course, our most famous city—one of the most famous cities in the world—means "the meadows." It was a place that in pioneer days was an oasis in the desert, and that is an understatement. Water from artisan wells that bubbled out of the ground was the beginning of Las Vegas—the meadows.

The first non-Native American who set eyes on Las Vegas Valley was a man named Rafael Rivera. We honor him in Nevada. In my office here and in my conference room I have a wonderful painting of Rafael looking down over Las Vegas. He looked so good, all dressed in his finery, but in reality he was lost. He had been with a Spanish expedition and was lost, but he was the first to see Las Vegas, and we recognize that. The picture is terrific. We see him looking down at a place where there was nothing other than the meadows, but now there are 2.5 million people there.

In Nevada and across the Nation we see the contributions of Hispanic Americans in every facet of our society—on the battlefield, in the boardroom, in the courtroom and the classroom, at art galleries, and on the playing field. Hispanic Americans have also played an important role in this Nation's Armed Forces, serving in every conflict since the Revolutionary War. More than 2.3 million Hispanic-owned businesses employ millions of Americans, providing critical goods and services and helping to drive our economy.

Nationwide, Latinos are expected to make up about 60 percent of the population growth in the decades to come. To ensure our country thrives, we must ensure this Hispanic population thrives as well. Hispanic Heritage Month should be one to celebrate but also one to reflect on what we can do to help Hispanic families thrive.

This year affords a special moment for reflection as our Nation commemorates 50 years since the historic march on Washington for Jobs and Freedom. The struggle for equality, justice, and freedom is ongoing, but through engagement Hispanic Americans and all Americans can make heard in Washington their support for quality education, quality health care, a living wage, and the right to vote without intimidation or discrimination.

Congress heard their calls for quality affordable health insurance. That is why we passed, among other reasons, the Affordable Care Act, known as ObamaCare, which was a huge step forward for Hispanic families and Nevadans across the country. In Nevada alone, more than 160,000 Latinos and more than 10 million nationwide who

currently lack health insurance will be eligible for coverage through the new marketplaces that are going to start October 1.

Congress heard the calls for opportunity during tough economic times. Democrats made small business loans possible for 11,000 Hispanic-owned businesses. We have significantly cut predatory and discriminatory lending practices that disproportionately affected Hispanic communities. Last year Congress cut taxes for 98 percent of American families, including every middle-class family.

Congress also heard the calls for fair, practical immigration reform, and this year the Senate passed a bipartisan immigration bill that will reform America's illegal immigration system and reduce the deficit by \$1 trillion. This measure will also help 11 million people—people who are tired of looking over their shoulders and fearing deportation—to get right with the law and start down an earned pathway to citizenship. The Senate, though, is still waiting, as we have been waiting for lots of things, for the Republicans in the House to allow a vote on the Senate's bipartisan compromise. What better way to celebrate this important month than by passing a bill that will allow millions of families to stay together and reach their full potential?

I look forward to Hispanic Heritage Month as an opportunity to reaffirm my commitment to supporting the 52 million Latinos in America through our work in the Senate. To me, Hispanic Heritage Month is about recognizing the incredible contributions of Hispanic Americans to our Nation, but it is also about building a brighter future for Hispanic Americans in our Nation.

 RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

 TROUBLING REALITIES

Mr. McCONNELL. Mr. President, earlier this week we passed the 5-year mark since the financial crisis hit our country. Incredibly, President Obama tried to use that opportunity to take credit for the fact that things aren't as bad as they were back then, and he is back at it again today. Basically, his message is this: America isn't in a free fall, so everyone should give him a big pat on the back.

Well, as far as deflections go, it is pretty creative, but it is also pretty misleading because in an effort to justify his own failed policies and preserve them, the President is papering over some pretty troubling realities. The truth is, for most Americans, the past few years have felt like anything but a recovery. It has been a story of lost jobs and underemployment and the loss of dignity that comes with both. It has

been a period of stagnant wages and an increasing disparity between rich and poor. Then there are all the young people who have been stunned to realize, after graduating from college, that there just aren't any jobs out there. So now is not the time for victory laps because if this is his idea of success, I would hate to see what failure looks like.

Today, nearly 8 million Americans who want full-time jobs can only find part-time work. That is nearly twice as many involuntary part-timers as we had throughout most of the previous administration. And, of course, ObamaCare will make this much worse. What is more, the poor and middle-income folks and those just starting out on their own are some of the people who have been struggling the most in the Obama economy. The unemployment rate for low-income Americans, for instance, now stands at 21 percent—21 percent unemployment for low-income Americans—right about where it was during the Great Depression.

The President likes to claim credit for jobs created since the so-called recovery began, but what he fails to mention is that there are still fewer jobs today than before the crisis hit, while real median wages haven't gone up at all over the past 5 years.

Even though Candidate Obama promised to "spread the wealth around," we find that 95 percent of recent income gains have actually gone to the richest among us. Ninety-five percent of recent income gains have gone to the richest among us. In other words, we are again faced with the tragic irony that those on the left who claim most loudly to be standing for fairness and equality often end up getting the worst results for those who need help the most. To paraphrase President Reagan's old line about the apostles of "fairness," maybe they are fair in one way: Their policies don't discriminate; they bring misery to everybody—unless, of course, we are speaking of the elite of the elite. We all know why that is. Because when government policies hurt economic growth by stifling opportunities and drying up investment, it is the American worker who loses. It is those at the bottom of the economic ladder who suffer the most.

The best thing we can do to help the poor and working class is to get the private sector growing again. And we know how it is done—by implementing things such as a more competitive tax code, regulatory relief, approval of the Keystone Pipeline, and, of course, repealing ObamaCare, which is killing jobs.

The fact is that the policies of today's Washington Democrats actually entrench unfairness and make the playing field even more uneven.

Even the President's allies are beginning to understand. Big Labor wants to rewrite some provisions of the same ObamaCare law they helped muscle through. Why? Because, predictably, ObamaCare is now hurting the 40-hour

workweek and undermining the kind of employer-sponsored plans their members like and were told they would be able to keep. Union bosses also know that the President recently agreed to delay parts of the law for businesses. Now they want relief too. Why for business and not for unions? But what about everybody else? What about the middle class? What about college graduates or young couples trying to make ends meet while they start a family? Don't those folks deserve some relief from ObamaCare too?

That is why Senator COATS and I filed an amendment last week that would allow everyone else to take advantage of the ObamaCare delay already offered to businesses. If companies get to catch a break, then Republicans think the middle class should too. The Democrats who run Washington need to stop blocking us from even taking a vote on this important legislation—legislation that already passed the House of Representatives, by the way, on a bipartisan basis.

After all, as I have already indicated, ObamaCare is a big reason we are turning into a nation of part-time workers and that so many Americans will lose their jobs and the health care plans they like. It is also one of the reasons the rate of those either working or looking for work has dropped back to Carter-era levels—Carter-era levels—and that the average time it takes to find a job is longer than it has been literally in decades.

These are all good reasons not just to delay but to repeal this law and start over with bipartisan reforms that can actually reduce costs instead of killing jobs. I have confidence we will get there eventually because the only person who seems to be happy with ObamaCare is the guy it is named after—the guy it is named after. Because when everyone from union bosses to working moms wants to repeal this act, it is hard to escape the conclusion that the people standing in the way are more interested in what is good for their legacies than what is good for the country.

But, look, I am still holding out hope. I hope the President will take this 5-year anniversary of the financial crisis as a chance to reflect and to change course. I hope he will finally admit that what he has tried thus far has not worked; that it is not enough to just improve the lot of those who have influence in government; that he has to work for the middle class too. I hope he starts working with Members of both parties to start over on health care, to put our economy on a sound and sustainable footing, to get spending under control so we do not leave the same kind of mess to our children, as CBO again warned us yesterday.

Most important, I am hoping he starts thinking of ways to give those who are struggling in this economy a real chance to succeed. When he does, Republicans will be here ready to work with him, as we have since he first came to office.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The Senator from Texas.

THE ECONOMY

Mr. CORNYN. Mr. President, as you know, today marks the fifth anniversary of the 2008 financial panic which threw our country into a severe recession and the worst economic crisis this country has had since the 1930s. It has been 5 years since Lehman Brothers collapsed. It has been 5 years since the Federal Government seized full control of Fannie Mae and Freddie Mac. It has been 5 years since Washington bailed out AIG, the giant insurance company.

In the weeks and months following the events of September 2008, Members of both parties agreed that one of the most important things we could do is to fix the idea of too big to fail when it came to some of the largest financial institutions in America. Too big to fail—so the only alternative was for taxpayers to bail them out.

We wanted to end it. Five years later, I wish I could say we had succeeded. I wish I could say that too big to fail was a thing of the past. Unfortunately, the very law that was passed by our Democratic friends, primarily, that was supposed to end too big to fail actually codified it, actually made it more certain to occur because it gave Federal regulators the power to identify something called systemically important institutions. Doesn't that sound suspiciously like too big to fail if you are systemically important financial institutions?

We have already seen that systemically important firms enjoy huge funding advantages over smaller competitors, primarily community bankers in places such as my State, mostly because of the perception that these large companies enjoy a government bailout guarantee. In other words, their cost of doing business is lower because people actually perceive they have a Federal Government backstop available to bail them out if they get into trouble—not so for small credit unions, community bankers in places such as my State and around the country.

In other words, Dodd-Frank, rather than weakening this concept, actually

strengthened the de facto partnership between Washington, DC, and New York, and primarily Wall Street. That is the exact opposite of what I think the American people thought was happening and certainly the opposite of what they were demanding since 2008. It is exactly the opposite of what our financial system needs in order to operate more safely and to avoid taxpayer bailouts such as we saw following 2008.

This is just another reason the U.S. economy continues to slog along, with the weakest recovery and the longest period of high unemployment since the Great Depression of the 1930s. Nearly 38 percent of America's unemployed have been jobless for more than 6 months. Let me say that again. Nearly 38 percent of Americans unemployed have been jobless for more than 6 months.

Those are tragic statistics because we all know that the longer someone is unemployed, the harder it is for them to get back into a job because they lose skills, they become less competitive in the labor markets.

The only reason unemployment rates actually fell was not because the economy was getting strong enough to create new jobs, but it was because fewer and fewer people actually were looking for work. More and more people actually gave up. All one has to do is go on the Internet and look at the Bureau of Labor Statistics under something called the labor participation rate, and we can see that the percentage of people actually looking for work has declined to the lowest point in about 30 years or so.

A recent study concludes that America is still 8.3 million jobs away from a full economic recovery—8.3 million Americans out of work who need to be back at work in order for us to get back on track.

Is it any wonder that a Pew Research Center poll indicated that 52 percent of people feel as though our job situation has hardly recovered at all since the great recession? Fifty-two percent think things have not gotten that much better.

Nevertheless, there seems to be this divide, this gulf between perception in Washington among the political elites and on Main Street. For example, in an ABC News broadcast this past weekend, President Obama said that since he took office, America has witnessed “progress across the board.” I guess “progress” is a relative term.

But since the official end of the recession in June 2008, median household income has declined by nearly \$2,500. Average working families have \$2,500 less to spend, so, of course, they do not feel as though we have had a recovery. They do not feel as though things have gotten better across the board, such as the President. Of course, that is before we even account for inflation. When we adjust the numbers to reflect the increase in consumer prices, the drop in median household income has been significantly larger than the \$2,500 I just mentioned.

The President says he is concerned about income inequality, about the difference between the wealthy and average working families and the poor. But the New York Times has reported that the trend of rising income inequality “appears to have accelerated during [this President’s] administration.” It has gotten worse. Indeed, according to one measure of the income gap, inequality has increased about four times faster under President Obama than it did under President George W. Bush.

Of course, America’s income gap is mirrored by a yawning unemployment gap. Earlier this week, the Associated Press reported that “the gap in employment rates between America’s highest- and lowest-income families has stretched to its widest levels since officials began tracking the data a decade ago.”

Again, this is happening under a President who said rising income inequality is morally wrong, a President who believes rising income inequality is holding America’s economic recovery back.

But the problem is not in his diagnosis, it is in his proposed remedies, his policies. His proposed remedies for growing inequality include more taxes, more spending by the Federal Government, more debt, and more regulations. It is symptomatic of the idea that Washington knows best. It does not, and we know because of the failed experiments over the last 5 years. Of course, if such policies were truly part of the solution, inequality would be declining. In other words, if the President’s proposed solutions of more regulations, more taxes, and more Federal spending would work, we would be well on our way to an economic recovery, unemployment would be back to historic norms, and the economy would be growing. But it is not.

Then there is the cost of health insurance. This is another one of the burdens on particularly small businesses and individuals which are keeping the economy stagnant.

Back in 2008 the President famously promised that premiums for a family of four would decrease by about \$2,500 if we would just pass his signature health care legislation, now known as ObamaCare, the Affordable Care Act, but instead the cost has gone up by nearly \$2,400 between 2009 and 2012.

So we have median household income going down about \$2,500, but actually the cost of health care, rather than going down, is going up by about the same amount. For that matter, the cost problem will only get worse once ObamaCare is fully implemented, as we are beginning to see as we see what the premiums are like in the individual market for people who buy their health care in the exchanges.

The National Journal found that “for the vast majority of Americans,” premiums will be higher under ObamaCare. That is pretty easy to understand because of the way it has been wired. For example, someone has said,

it is as though, because of the guaranteed issue aspect of ObamaCare, someone can wait until they are sick to buy health insurance and the insurance company has to sell it to them. So somebody said: That is akin to waiting until your house is on fire before you actually buy fire insurance. That is not insurance anymore, and that runs up the cost for everybody, as does a phenomenon such as age banning, where young people my daughters’ age, in their early thirties, are going to have to bear the cost of health care for older Americans because they cannot charge older Americans any more than three times more than what they charge young, healthy people such as my daughters, even though their consumption of health care, we know, will not be anywhere near that ratio.

As projected, the President’s health care law will cause individual insurance premiums to skyrocket all across America, including Texas.

Policies such as ObamaCare and Dodd-Frank, as I keep hearing from my community bankers, have increased the cost of doing business and generated enormous uncertainty about the future. I was talking to a businessman in Houston just 2 days ago. He said: The thing that is holding America back, our economy back, is uncertainty. People don’t know what their taxes are going to be like, what the regulatory environment is going to be like. They don’t know about our failure to deal with our national debt, now about \$17 trillion. As the Fed begins to wind down its purchases of our own debt, interest rates start to go back up. What is that going to mean?

It is going to mean we have to pay China and other creditors more money for the money they have loaned to us because of that \$17 trillion debt, and it will simply crowd out our ability to fund other priorities such as national security, among others.

The story of our sluggish recovery is ultimately a story of wasted human capital, again another tragedy. It is a story of mothers and fathers who cannot find full-time jobs and who are having trouble supporting their families. It is a story of college graduates who are unemployed, living at home, and drowning in student loan debt.

As economists Keith Hennessey and Ed Lazear have written, “The severe recession was bad enough, but the slow recovery is doing just as much damage to living standards since it is sustained over a longer time frame.”

I would say to our President: If you care about reducing income inequality, if you care about saving the American dream, let’s try something new. You know, the definition of insanity, one pundit said, was doing the same thing over and over again and expecting a different outcome. So let’s try something new, because we know the status quo has not worked. Instead of piling more burdens on job creators and making it harder for Americans to secure full-time employment, let’s embrace

policies that make it easier to create jobs and easier to get full-time work. Let’s reform our Tax Code so it is pro-growth, make it simpler, make it fairer, make it more logical, make it more conducive to that strong economic growth that is going to create jobs.

Let’s go back to the drawing board on health care and embrace sensible patient-centered reforms that will reduce costs and increase accessibility. We are never going to change our economic trajectory until we change our economic policies. Again, doing the same thing over and over again is not going to change the outcome. We need to try something new.

The policies of the past 4½ years have given us an economy that is failing to deliver the kind of job creation and income gains Americans want and they need. As the President’s own Treasury Secretary said this week, “Too many Americans cannot find work, growth is not fast enough, and the very definition of what it means to be middle class is being undercut by trends in our economy that must be addressed.”

I could not agree with him more. So isn’t it time to try something different?

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

ENERGY AMENDMENT

Mr. BARRASSO. Mr. President, today I would like to follow up on some of the comments by Senator CORNYN about these massive burdens on American families, how it is impacting their lives, their quality of life. Those are burdens forced upon them by this administration.

I rise to talk about an amendment I filed to the energy efficiency bill that we will be debating today on the floor. This amendment would stop President Obama’s attempt to impose a massive increase to the national energy bill. It will affect all Americans because, in a sense, essentially what we have is a huge energy tax caused by government regulations.

My amendment blocks the issuance of new carbon pollution standards for new and existing coal-fired powerplants. Those standards are due out from the Environmental Protection Agency this very week. They can do great harm to the American economy and to American families.

We need to make America’s energy as clean as we can as fast as we can. Everyone knows that. It is important, though, that we do it without hurting our economy and without costing thousands of middle-class jobs. The American people, through their elected representatives in Congress, have rejected President Obama’s reckless energy policies in the past. This past June President Obama issued a Presidential memorandum directing the EPA to issue carbon pollution standard regulations.

My amendment would require the approval of Congress for any regulations causing increases of our national energy bill, just like the one the EPA would create with these regulations. If these regulations are allowed to take effect, they will increase energy costs for the people who can bear the burden the least—seniors, low-income families, small businesses.

High energy costs will destroy thousands of jobs in places such as my home State of Wyoming but also in Missouri, Ohio, West Virginia, Montana, and many other States. We have already seen coal-fired powerplants shut down and reduce capacity, putting many people out of work. That has been the President's plan all along. These new regulations would be the latest step.

Remember, President Obama said that under his plan "electricity rates would necessarily skyrocket." Skyrocket. That is his word, not mine. He said energy producers could still build coal-fired powerplants, but that the cost would be so high it would bankrupt them. The President should be looking for ways to help businesses grow, to help create jobs, not pushing his regulations to find backdoor ways to bankrupt them.

My amendment accomplishes a number of goals, beginning with protecting American jobs. That has been our focus in this difficult economy. The Nation's recession ended more than 4 years ago. We have not had the recovery, though, we should have had because the President's policies have failed. The President promised he had a plan to create so-called green jobs. People have seen that those green jobs never materialized.

Now the President is going after the red, white, and blue jobs that continue to power our country. The Obama administration and its allies in the fringe environmental movement say we need to get rid of those jobs to make way for new ones. They say coal miners and powerplant workers should fade into history along with the men and women who built stagecoaches, telegraphs, and record players. Their idea is that if we simply let coal die, those folks can start making something new.

That kind of thinking is a luxury a lot of Americans do not want and cannot afford. When excessive Washington redtape crushes a coal mine or a coal-fired powerplant in a small community, those jobs are not the only thing that go. The town loses its revenue base. That hurts its public schools, its police, its fire departments, senior bus services for those who cannot drive. Everything that town does to serve its people suffers because of decisions made by this administration in Washington, DC.

Before long, people start to move away, looking for a better chance somewhere else. Small businesses do not have enough customers, so they shut down, and the town withers away. When Washington uses the heavy hand

of excessive regulation, there are a whole host of ways it hurts American communities. One of those ways is its impact on public health.

Studies consistently show unemployment increases the likelihood of illness, hospital visits, and premature death. Families where a parent is out of work are more likely to fall into poverty. Children in poor families are four times as likely as other children to be in fair or poor health.

The bureaucrats at the EPA can shake their magic eight ball to predict health impacts of carbon pollution on virtual people who have not been born yet, years into the future. But if their predictions are wrong, and I expect they are, they will simply shake their magic eight ball again.

Meanwhile, the health effects caused by their excessive regulations are very real for real families, real children, real seniors. My amendment addresses this public health issue. It does it by preventing this massive unemployment that would result from new redtape and higher energy costs.

Finally, my amendment is clear that Congress should act on an affordable energy plan. Nothing in my amendment says Congress should not work with State and local governments to protect communities from severe weather events where lives are at stake. My amendment is clear that these kinds of decisions should be for Congress to make, not for the President to make on his own. That is true whether the President is a Democrat or a Republican. I hope to get a vote on my amendment to ensure that the Obama administration does not impose an increase in our national energy bill on the American people.

Along the same lines, I want to speak briefly about another opportunity we have to ensure a stronger energy future for our country. This week will mark an anniversary that I hope will spur the American people to demand some action from the Obama administration. Five full years ago TransCanada first applied for permission to build the Keystone XL Pipeline. President Obama still cannot make up his mind to approve the permits. He dithers, he delays, he makes excuses.

It is time to act. It is time finally to approve the Keystone XL Pipeline so America can start to get the benefits of this important energy project.

According to the State Department analysis, the pipeline's construction could support 42,000 jobs across the country. The President should be grabbing any opportunity he can to help the private sector create jobs. Instead, he says the jobs the Keystone XL Pipeline would create are "a blip relative to the need." Is this how the President sees the livelihoods of 42,000 American families, a blip?

This is the fourth major pipeline project between Canada and the United States since 2006. All the others were approved and the process took between 15 and 28 months for each of them. The

permit process for Keystone XL is now 60 months and still counting. Why is it taking so long? In October 2010, Secretary of State Hillary Clinton said her department was "inclined" to approve the project. In July 2011, the administration said it was "publicly committed to reaching a decision" before the end of the year. That was 2011. The deadline came and it went.

This past June, the President suddenly raised the bar. He said the "net effects of the pipeline's impacts on our climate will be absolutely critical" in his decision. We know today what those effects would be. Studies show the Keystone XL Pipeline would not have a substantial impact on greenhouse gas emissions. That is because even if the pipeline does not get built, the energy is still going to be developed. China has absolutely offered to buy the energy from Canada. This pipeline has the support of more than 70 percent of the American people. It has the support of major labor unions, of every State along its route.

A bipartisan majority in the House and 62 Senators support it. Still, President Obama cannot make up his mind. He delays his decisions on this vital infrastructure project and at the same time orders regulations that would impose what amounts to a national energy tax. He stalls a pipeline that would create thousands of jobs and at the same time orders regulations that would destroy thousands of jobs. He stalls a pipeline that would help middle-class families while he promotes a policy that would take more money out of the pockets of hard-working Americans. We need to improve America's energy picture, without destroying jobs or bankrupting our country.

President Obama can help do that. He can do it today by doing two things. First, he should drop his plan to impose a new increase on national energy costs and let it be debated by Congress. Second, he should immediately approve the Keystone XL Pipeline. If the President is serious about helping middle-class families, he will prove it. If he is not ready to join Democrats and Republicans in Congress in making reasonable energy policies that help American families, then the Senate should act.

Struggling middle-class families are asking for our help. It is time to give them the help they need.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AFFORDABLE CARE ACT

Mr. SCHATZ. Mr. President, I rise to speak on the Affordable Care Act. At home in Hawaii we have a saying, "Lucky you live Hawaii." That can

mean a lot of different things to different people, but when talking about access to affordable, effective care, this phrase has particular meaning.

In the early 1970s, the rate of uninsured in our State was about 30 percent, meaning roughly 1 in 3 in our population would live in fear that sickness or injury could cause financial ruin for themselves or their families. The people of Hawaii knew this was unacceptable.

In 1974, the State government passed an innovative piece of legislation, the Prepaid Health Care Act. Now simply known as Prepaid, this legislation requires employers to provide affordable and quality care for hundreds of thousands of individuals and their families.

Our uninsured rate is one of the lowest in the country, with only 8 percent of our population lacking any type of insurance. Even though Hawaii has been at the forefront in making health care a right and not a privilege, we still have a way to go. Even with Prepaid, there are more than 100,000 people in our State still uninsured.

When the Affordable Care Act passed 3 years ago, I knew it meant that those who are uninsured or underinsured in Hawaii would find some relief. We have already seen major successes since this landmark legislation passed.

Yet people are still afraid of ObamaCare. This is because a lot of people have spent a lot of time and money to make the American public believe that somehow this legislation is bad for them and will harm them. That is why, when asked about health care reform as a whole, many Americans say they are concerned, they have anxiety. But when you talk to people back in Hawaii and across the Nation, and even those who think they don't like health care reform, they like what it does.

For example, parents like that they can keep their children on their health insurance until the age of 26, which affects 6,000 young adults in the State of Hawaii. People will no longer have to live in fear of lifetime limits on health benefits, which will help more than 460,000 residents of Hawaii, including 115,000 children. More than half a million people in my State will no longer have to worry about being denied coverage because of a pre-existing condition.

As a State that has committed to Medicaid expansion, Hawaii will also now be able to provide care to close to more than 68,000 residents starting in 2014.

People like these policies. People like what health care reform is already doing for them.

While my colleagues across the aisle are looking to repeal this historic legislation, I am looking forward to how we can build on its success.

Let me be clear. The fact that health care reform is working is exactly why the detractors of the ACA are trying so hard to stop it from being fully implemented. They know the American people

are embracing ObamaCare because of all the good it will do for our families.

In particular, I am looking forward to the opening of our marketplace, the Hawaii Health Connector, on October 1. Many of the people I have spoken to want to know what the marketplace may mean for them. Simply, the Hawaii Health Connector is going to provide a consumer-friendly way for residents of my State to view and compare a wide variety of plans. Then they will be able to pick the coverage that best suits them and their families. My office has been in constant contact with the Connector, and their staff in Hawaii has been working tirelessly to set up the online and phone interface, and to provide assistance and navigation in the form of *kokua*, a word in Hawaiian that essentially means pitching in to help your neighbors and your community with no regard for personal gain.

This is reflective of the values we have in Hawaii, that everyone deserves to be healthy and have access to affordable and quality care. That doesn't mean we still don't have a lot of work to do.

I am hoping a number of bills I have introduced, including the Rural Preventive Health Care Training Act and the Strengthening Health Disparities Data Collection Act, will be considered and voted on by the full Senate in order to solve some of our worst issues in providing care to rural and underserved populations in Hawaii and across the Nation.

I believe ACA is working the way it should be. It is increasing the number of insured Americans, promoting preventive care that will help to reduce the human and financial costs of avoidable illness and lowering the costs of care for everyone.

Many of my colleagues in Congress choose not to see any of this. The only option for them is total repeal, with zero tolerance for open discussion or compromise on this landmark legislation, but that kind of thinking is what causes the gridlock Americans are so tired of. I understand there will be parts of this law, which is a sweeping piece of legislation, that will need to be amended over time to resolve any kinks. These kinds of revisions have been done with every other landmark domestic social policy that has been passed in this country, including Medicare and Social Security.

I am willing, as are my colleagues on the Democratic side, to come to the table and work with Republicans to make necessary improvements over time, but I refuse to engage in the process of political and parliamentary gymnastics designed to score small, short-term wins at the expense of the American people and the economy.

It must be pointed out that anyone who wants to grind the entire government to a halt over the implementation of this several-years-old law will cause harm to the economy and harm to their communities, because Federal

funding provides essential services and programs to constituents in every State and every county in every district. If improvements or changes need to be made, they can be done through the regular order with hearings, serious discussions, and bipartisan support. Ultimately, what we are seeing in Hawaii and across the Nation is President Obama's historic health care package is making inroads in improving our health care system. Efforts to stop that cannot be tolerated by Members of Congress and the people of this Nation.

I will continue to support its full implementation and look forward to working with all of my colleagues in the Senate to build upon its success.

I yield the floor and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MARKEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

Mr. MARKEY. I ask unanimous consent to speak as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

A MASSACHUSETTS PERSPECTIVE

Mr. MARKEY. Madam President, today I am here to give my first speech on the floor of the Senate. I do so with deep respect and reverence for the history of this Chamber and for the giants of the Senate who have served before us. From Massachusetts, our recent roster of Senators reads like a history textbook: President John F. Kennedy, who inspired a Nation—President Kennedy's desk is right here, and it is so appropriate that my extraordinary partner from Massachusetts, Senator WARREN, occupies it today—the legendary Ted Kennedy—he had the vision to make health care a right and not a privilege; Ed Brooke, the first African-American popularly elected to the Senate; Paul Tsongas, a model of independence; for 28 years John Kerry was a champion for the people of Massachusetts. Now he is our chief diplomat to the world, his skill already shown in his ability to bring Russia and Syria to the negotiating table.

America is the greatest country on Earth.

My father drove a truck for the Hood Milk Company. He graduated from the vocational program at Lawrence High School. My mother was going to be senior class president in high school, but her mother died when she was a junior. She had to abandon her college dreams to stay home and take care of her younger sisters.

That was before the New Deal, before Social Security, and before Franklin Delano Roosevelt. In those days the

only social safety net for families was that one of the girls had to stay home.

I was the first in my family to go to college. I drove an ice cream truck to work my way through Boston College as a commuter. I did the same for law school. I took out Federal student loans, like so many millions of American students have to do today.

Thanks to the people of our State, this son of a milkman is now serving the Commonwealth of Massachusetts in the U.S. Senate.

I am a son of Malden, but I do not come just to occupy a seat in the Senate. I come here to stand and to speak for all those families, to seek change that uplifts those families and their future. To everyone here I say: That will be how I conduct myself here in the Senate.

I come here today to discuss my perspective, formed by the Commonwealth of Massachusetts, guided by its people, practiced in the House of Representatives for more than 36 years, and open to new knowledge, new ideas, and innovative ways to move our country forward.

From its inception, Massachusetts has thrived because it is a wellspring for the advancement of humanity's ideas and ideals. Nearly 400 years ago the pilgrims braved an uncertain passage to Plymouth as religious innovators, but the pilgrims would likely not have survived the new world's harsh environment without learning new ways from the native Wampanoag Indians—the "people of the dawn," as their tribal name translates.

So our bearings were set early in the Bay State. In a sense, we in Massachusetts are all people of the dawn, looking over the horizon toward a new frontier, striving to forge a better tomorrow.

It is no surprise that when America moved from farms to factories it began in Massachusetts. Massachusetts has survived and it has thrived because of our tradition of innovation and imagination.

We invent the materials that power our economy. We initiate the moral discussions that advance a Nation. We are never satisfied with what we have accomplished, instead, always pushing for progress and embracing the promise of the rising sun. We know from experience that when we invest in the future we create jobs here and now in our country.

During the last few decades, the pursuit of the possible that is hard wired into our Massachusetts DNA has helped us weather tough economies and rough international competition better than many other States.

We have become a high-tech, clean-tech, biotech hub for America and for the world. At places such as MIT and at companies such as Bolt, Beranek and Newman in Boston, the underlying architecture of the Internet was envisioned and set in motion.

Earlier in my career, Congress passed three telecommunications bills on a bi-

partisan basis that I helped author. They removed barriers for innovation and unlocked opportunity for entrepreneurs, creating jobs in Massachusetts and across the Nation by unleashing more than \$1 trillion of private sector investment in this emerging technology area.

Now the future of telecom is mobile. Massachusetts has several hundred mobile companies. We have the strongest robotics centers in the Nation. We have the burgeoning digital games industry centered in our State. We are ready for the next generation of technology jobs because we spent decades building our digital foundation.

Massachusetts was once the Nation's leading power producer, when Melville wrote "Moby Dick" by the light of a whale oil lamp. Now we are at the forefront of the most recent energy revolution.

Our electricity is getting cleaner, we are using it smarter, and it is getting cheaper. Massachusetts is now the No. 1 State in the country when it comes to energy efficiency. Just yesterday Boston was named America's most energy-efficient city.

Our shores will host the first offshore wind energy farm in the Nation. The same winds that brought the pilgrims to Plymouth Rock will now power a new generation of jobs in Massachusetts.

Massachusetts is seventh in the Nation in solar installed per person, even in a State more known for the perfect storm than for perfect sunny days.

In Massachusetts alone, clean energy now employs 80,000 people across 5,000 businesses in our State.

If we continue our commitments to clean energy, we will put steelworkers, iron workers, welders, and electricians to work building a new backbone for a new energy economy in the United States and around the world.

Massachusetts is the hub for biotech on the entire planet. We are No. 1 in per-capita dollars awarded by the National Institutes of Health, supporting 35,000 jobs Statewide. Health is our first wealth, but in Massachusetts it is also one of the best job creators.

We are an idea factory pumping out new concepts, creating new companies that produce new jobs and discover cures for deadly diseases.

In Massachusetts, we recognize that education is a ladder of opportunity that allows every child to maximize their God-given abilities. The first public school in America was established in Massachusetts. Today, Massachusetts students are No. 1 in the Nation in math, in reading, and tied for No. 1 with New York in science.

For students in Massachusetts and around the country, we should never let the big dreams of attending college be thwarted by the small print of overly burdensome loans.

As children learn in an online environment, we need to make sure they can grow, develop, and make mistakes that won't derail a promising future.

That is why I will soon introduce my do not track kids legislation on a bipartisan basis to protect the privacy of children online.

The value of our economy grows because it is imbued with our American values. What unites us is the unshakable belief that no matter where you come from, no matter what your circumstances, you can achieve the American dream. We believe everyone should get a fair shot. No one should be left behind.

It is time to get back to the values that made Massachusetts and this country great. It is time to make real progress, creating an economy that works for everyone. It is time to protect a woman's right to choose. It is time to deliver to the LGBT community all of the protections and rights under the Constitution.

It is time that we put real gun control measures on the books. The horrific mass shooting at the Navy yard is the latest deadly reminder that we need to do more to stem the tide of gun violence in this country. Newtown, Aurora—these tragedies are not inevitable, they are preventable. This senseless carnage must end.

We need a ban on assault weapons, and we need a ban on high-capacity magazines. We need universal background checks combined with comprehensive care for our mentally ill. We need to put an end to the partisan gridlock that prevents even the most basic of gun control measures from becoming law.

In the next few weeks we will see our seventh fight over our debt and deficit in the last couple of years. We need to break down this rampant ideology that threatens to turn a government that works for the people into a government that simply shuts down.

We must also end the mindless across-the-board cuts from sequestration. Cutting programs such as Head Start will leave a generation of kids lagging behind. Slashing investments in science means the breakthroughs that create jobs and cure deadly diseases could go undiscovered. Cutting defense spending mindlessly can undermine our security.

We need a new transportation bill that puts union workers back out there working, rebuilding our roads and our bridges.

While many economists have labeled the recent downturn a recession, for our working families and low-wage earners it has become an economic depression. Economic inequality tears at the fabric that makes our country great. It turns "E pluribus unum" into "everyone for themselves." We must raise the minimum wage for the people who are struggling to make it into the middle class.

We need to create an end to the era of climate denial. Climate change is irrefutable. It is raising sea levels. It is giving storms more power.

The planet is running a fever. There are no emergency rooms for planets.

We must put in place the preventive care of unleashing a renewable energy revolution in wind and solar, in biomass and geothermal, and in energy efficiency to avoid the worst, most catastrophic impact of climate change on this planet. We are seeing it on an ongoing basis not just here in our country but across the planet.

Our moral duty to future generations calls for us to address climate change, but it also is an economic opportunity to create new jobs here in our country.

I will soon introduce legislation that will call for America, by 2025, to reach a 25-percent target of clean energy and energy efficiency improvements. This bill will create jobs as it cuts pollution. And I will continue to work to pass climate legislation, as I did in the House of Representatives.

I will also introduce legislation to fix our aging natural gas system in Massachusetts and across the country, making it cleaner and more efficient. We can use affordable natural gas and clean energy, built and delivered through the work of union hands, to power new American manufacturing centers. That is a job-creation triple play—generate new energy, build new infrastructure, and manufacture new American products.

We must not massively export our natural gas abroad or I fear we will continue to export our young men and women to dangerous places all over the world and lose opportunities to lower electricity rates here and to increase the manufacturing jobs here in the United States.

Fifty years ago President Kennedy announced the ambitious goal of sending an American safely to the Moon. He told us that we would need a giant rocket made of new metal alloys, some of which had not yet been invented. It would have to be fitted together with precision better than the finest watch. It would have to be able to be returned to Earth safely at speeds never before approximated by humanity. And it would all have to be done in less than 8 years.

President Kennedy urged us to be bold. I say to this Chamber, it is time for us to be bold. In this era of innovation, there are jobs that are not yet imagined in fields that haven't been created with industries that don't yet exist. We should be bold.

America watched with pride as Neil Armstrong stepped onto the Moon and an American flag was planted as a symbol of our success. In this Capitol Building, there is a flag that was brought back from the Moon. It testifies to the returns we receive when we invest in American ingenuity, when we seek the dawn of discovery, when we invest in our people and in our industries, and when we follow the universal American values of justice and tolerance and liberty and equality.

We can use our talents and our tools to help all people everywhere build a more peaceful, prosperous future.

I look forward to working with every Senator in the months and years ahead

to make the 21st century more educated, more healthy, more prosperous, and more fair than the 20th century was. That is our challenge. That is our opportunity. But we must do it together.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I extend my appreciation to Senator MARKEY. I had the good fortune of serving in the House of Representatives with him. When he decided to run for the Senate, I was excited, and I am so happy he is here with us. The speech he just gave indicates the work we should be doing. I have always admired him.

I appreciate very much what he has done for the State of Nevada in many different areas. He has been at the forefront of protecting Nevada from the ravages of something that could be an environmental disaster—nuclear waste—and has been someone who has led the country in so many different ways in recognizing the dangers of climate change.

In telecommunications, no one in the last 30 years has done more for modernizing our telecommunications system than ED MARKEY. So I appreciate very much his good work.

As I sat and listened to this remarkably important speech, I thought of the Massachusetts delegation—two new Senators, but what wonderful Senators they are, Senator ELIZABETH WARREN and Senator ED MARKEY. The potential they have is so astounding.

On the news today: This will be the least productive Senate in the history of the country. People, such as the Senators from Massachusetts, are being prevented from doing good. There is no better example of that than the Senator who was on the floor listening to Senator MARKEY, the senior Senator from New Hampshire.

A bill to make our energy consumption around America more efficient, energy efficiency, a bill we should have done a long time ago—we can't do it because we have the anarchists running the House of Representatives, and they are doing a pretty good job over here too. I would say about 40 percent of the Republicans over here are anarchists, tea party-driven.

This Energy bill has five nongermane amendments, most of them dealing with health care. The Republicans are obsessed with what is the law of the land—ObamaCare. It has been the law for almost 4 years. The U.S. Supreme Court has said it is constitutional, but that doesn't take away their obsession to try to undercut this legislation, which is going into effect in a big way on October 1.

It is a shame that we are not able to legislate the way we did. Everything is a squabble and a fight. I came here more than three decades ago having already had a legislative career in the State of Nevada, and we have been able to work together to do so many good things—until recently.

We are now waiting to see what the House of Representatives is going to do, how absurd what it sends us is going to be. We know it is going to be something really strange and weird because the Speaker has to do everything he can to try to mold a piece of legislation to meet the needs of the tea party, the anarchists. And I say that without any equivocation. They do not want government to work on any level—not the local level, not the State level, and certainly not here. Any day that is a bad day for government is a cheering day for them.

So I am so impressed with the Senator's speech, but I am distressed at what is going on here in the Senate as far as trying to get work done. Bipartisanship is a thing of the past. Now all we do is "gotcha" legislation.

I was given this assurance by many Republicans: Let's do energy. Energy efficiency—let's do it. We will work together on a bipartisan basis.

And the first thing out of the box is something that will derail this legislation.

So I am thankful that we have a new Senator who is as talented and as good as he is, but I wish his talents could be better put to work here in the Senate.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Madam President, I am proud to come to the floor today to welcome my colleague ED MARKEY on giving his first speech on the floor of the Senate.

Long before I became a U.S. Senator, ED MARKEY was in the House of Representatives, became the dean of the Massachusetts delegation, and has been out there working for the families of Massachusetts and the families of this country. He has been a leader on issues ranging from energy and the environment to technology and telecommunications, and he knows how to get things done. That is very inspiring.

I just wanted to come by today to listen to his first speech, congratulate him on his first speech, and to say how much I am looking forward to working with my partner ED MARKEY in the Senate. We are going to do our best to get something done.

Congratulations.

Mr. MARKEY. I thank the Senator.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1392, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1392) to promote energy savings in residential buildings and industry, and for other purposes.

Pending:

Wyden (for Merkley) amendment No. 1858, to provide for a study and report on standby usage power standards implemented by States and other industrialized nations.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, I also would like to welcome the new Senator from Massachusetts to this body. I listened to his speech, and we will have some discussions over some of those items at some time, I am certain. But I also listened to the leader's speech following that, and I am a little bit disappointed in that speech.

He mentioned that we were the least productive Senate in history. I think there is a reason for that, and the reason is that we are doing dealmaking now instead of legislating.

I came here 16 years ago and have watched for a number of years as we have legislated—and "legislated" means getting votes on amendments. Getting votes on amendments happens much quicker than trying to make some kind of deal to limit amendments. Yes, some of the amendments in all those years have not been relevant to the bill we were talking about. Usually, once they have been covered, they are kind of done with and they do not come up on every bill. But the same tactic has been used to stifle amendments to bills, even relevant ones.

Both sides are at fault. It is not just one side. Both sides are stopping amendments from being voted on. We need to vote on amendments. Of course, the first one up is one I have been working on. The reason it is being brought up on this bill is that this is the first bill after a recess on which we can put anything.

During the recess, there was a huge change in the health care reform bill. That huge change was that the President decided he would exempt Congress from being under the bill, from having to do the same thing the rest of America will do. If you work in a business in America, a private business, and your business does not provide insurance and you have to go on the exchange—now, of course, the Senate and Federal Government provides insurance, but we all agreed we would go on the exchange because the American people had to go on the exchange. When we go on the exchange, we should have to abide by the same rules as anybody else who goes on the exchange.

Private business, if they say we are not going to buy insurance, their people have to go on the exchange, and if they go on the exchange, they cannot get a contribution from their employer for their insurance. There is a subsidy for people who earn under, I think it is \$42,000 a year as an individual or \$92,000 as a family. They can get a Federal subsidy. They cannot get a subsidy from their employer.

The President decided, through the Office of Personnel Management, that Senators should be able to move that contribution over to the exchanges.

That is different from everybody else. We should have to live under the same laws we passed. That was the contention we made when we put that amendment in the bill. That amendment went in the bill in the Health, Education, Labor & Pensions Committee. It went in the bill in the Finance Committee. It was agreed to on the floor of the Senate. We said we ought to be under the same rules as everybody else when it comes to the health exchanges, and we ought to try those health exchanges so we can see what America is going through.

We did that. We did it—maybe did it to ourselves—but that is the way government ought to work, with those who pass the law living under the law. All we are asking for is a vote to see if the Senate agrees we ought to live under the law the way the other people will have to live under the law.

As far as delaying the bill, it only takes probably 30 minutes for a 15-minute vote. It should only take 15 minutes for a 15-minute vote, but it takes 30 minutes at least, sometimes a couple hours for a 15-minute vote, if it is a close one and they want to negotiate with some of the people voting on it, but we ought to have to vote on it. We ought to put our names on the line as to how we feel about having the American people in a situation where their employer cannot contribute to their health insurance if they go on the exchange and make that same law apply to us.

I traveled Wyoming during the recess. We traveled about 6,000 miles by car, and I did a lot of listening sessions. I never heard anybody say, no, I think Congress ought to be able to continue doing what they have been doing before; instead, Congress ought to come under the same law.

There is a little addition to this bill that we did not put in the original bill. Maybe that is what is holding it up. That little addition to the bill is saying the President and the Vice President and the President's appointees should come under the same rules as Congress in this instance, going into the exchange. I hope the President, since the bill is kind of named after him, would want to be under the bill just like everybody else. If we are not going to allow contributions from businesses to go to regular people who go onto the exchange, then the same rule ought to apply to us.

That is pretty much what the amendment says. It clarifies the law and makes sure the Office of Personnel Management cannot exempt us without authority. It is more than a clarification, it is a complete reversal of what we passed in this body. When we passed it, I think on the floor it was unanimous. That means it was pretty bipartisan. That means we all agreed that maybe we ought to live under the same laws as the rest of the people in America.

Let's just have a vote on it. As I say, 30 minutes is about all it would take

for a 15-minute vote and we could move on to other issues. That is the way we used to do things around here. It was not unusual for a bill to have 150 amendments. I don't ever remember voting on 150 amendments because there is some duplication in amendments that are turned in. There are also some people who realize, as the debate goes along, that their amendment would not pass and they do not want it to be voted on and lose when they might be able to win with it later. Of course I am in favor of doing relevant amendments on bills. You will find usually any amendment I am signed on to is relevant to the bill.

The reason this is an exception is because it came up during the recess and the effect begins on October 1. I do not know what other bills are going to come up before October 1. At the pace we are going, this will not even make it by October 1. Just voting on bills rather than trying to negotiate it down to a 10-vote package—on the immigration bill I think we had 9 votes. It took us 3 weeks. There were about 200 amendments, probably 150 that could have been voted on and in 3 weeks I think we could have been through 150 of them and it would have made it a better bill. That is what legislating is.

All of those would not have passed. Maybe very few would have passed. Maybe only 9 would have passed. But people would have had a decision and would have been able to represent what their people back home are telling them, and that is what we are supposed to do here. The reason the Senate has the rules it does is so we can actually represent the people back home. One of the ways we do that is through amendments. Occasionally, there will be surprises that something that is not relevant might wind up on a bill. Usually, if it is not relevant, it gets defeated. There is usually a way to process a whole lot of amendments in a hurry; that is, with a tabling motion, but we are just not getting the vote. We ought to do some voting around here and move on.

This is an important bill, and there are some good amendments that have been turned in on which we would also like a vote. We should go through them and then we can be a productive body. Then we could cover a lot of bills that would go through in about 3 days, but we spend days negotiating not having amendments, and when we have that pent-up objection to our amendments not getting on there, it gets more pent up, more angry, more divisive, more partisan as the process goes by.

What I have referred to, the way the Senate used to work—just vote on amendments. We will not like all of them. We know some of them will wind up in an ad against us when we run, but that has always been the case and there is no reason to change it now.

I hope we vote on amendments and get busy. It is an important bill. I would like to see the bill finished. We need to do a lot of things on energy for

this country, particularly to keep energy prices down where people expect them to be. Again, let's vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, I certainly appreciate the comments from my friend and fellow Senator. He does speak to the obvious. We have an opportunity for some amendments on what I think most of us would agree is an important bill, this energy efficiency bill. How we move forward is indicative of whether this is a body that is going to start working, whether this is going to be a body that is defined as dysfunctional or, as was suggested earlier in a report that came out early in September, that this Senate could prove to be the least productive in our Senate history.

That is not a title or a banner this Senator wants to wear. I think we want to work around here. I think we want to try to produce. I think we want to legislate. In fact, I know that is what I want to do. That is why I applaud my colleagues, Senator SHAHEEN and Senator PORTMAN, for all of the effort they have given—themselves, their staffs working with the chairman of the energy committee, his staff, my staff working together for a couple of years now—to produce what I think is a pretty good bill. This is a bill that is focused on a piece of our energy portfolio, if you will, that is critically important: the aspect of efficiency and how we work to use less.

What we have in front of us is not legislation that is controversial in the sense that it is pitting different philosophies against one another. We are bogged down in our own inertia and cannot figure out how we even get to start. That is a pretty poor reflection on us. The way we get to start is how we started this debate just a few days ago, when Senator WYDEN and I came to the floor with the sponsors of the bill, Senator SHAHEEN, Senator PORTMAN, and we said: OK, great bill. We talked about the advantages of energy efficiency and all that Shaheen-Portman delivers, this very bipartisan product and effort.

Then we started talking about amendments, amendments that would actually strengthen this bill. We had no fewer than one dozen Members come to the floor, on both sides of the aisle, talking about their good ideas, how we are going to build in more efficiencies—whether it is in our schools or public buildings; how we can help nonprofits. These are all good, strong, healthy ideas.

Then we are here today and, as my friend from Wyoming has indicated, we are stalled out. We are not moving forward. The majority leader suggested this morning—his words, not mine—that we perhaps would not finish this legislation. That is quite disturbing to me. That is quite disturbing to me because if we cannot finish legislation such as an energy efficiency bill, some-

thing that most of us would recognize is a good approach to our energy issues in this country, what are we going to be able to do on the very big stuff?

We talk about pent-up demand for amendments. Let me suggest there is a pent-up demand for real energy legislation. For 5 years now we have not seen an energy measure debated on the floor of the Senate. That doesn't mean we have not passed some good energy bills. In fact, I was pleased to work with the chairman in passing two hydroelectric bills just before the August recess. These are good bills. These are truly going to help us as we work to reduce our emissions, provide for jobs, provide for greater electrification across the country. These are good. But we have not had that good, comprehensive discussion about the energy issues that have impacted our Nation in the past 5 years.

Think about what has happened in 5 years. Five years ago, if someone had mentioned the shale revolution, people would not have had a clue what they were talking about.

Think about what has happened with natural gas over the past 5 years. The Presiding Officer knows full well because her State has the lowest unemployment in the Nation. The Presiding Officer represents a State where almost everybody has a job. In fact, most people have two or three jobs.

When you think about the changing dynamics of an energy world, think about it in the context of a timeline. What happened over the last 5 years? Boom. Think about what happened to the economy. We read the articles from just a couple of weeks ago about how natural gas is not only helping those who work in the industry, it is a rising tide that lifts all boats. When people are paying less for their utilities, it allows them to spend more on the economy, and as a result everyone is benefiting. Our economy is benefiting and the unemployment picture is improving.

We are seeing good, positive things because of our energy future. Everybody seems to be bullish about it except us in the Senate because we cannot seem to get an energy bill to the floor. When we do finally have a bill, after years of good hard work by good folks wanting to do the right thing, we get to the floor and we get stalled out.

Again, there is pent-up demand for amendments because what we have known as regular order has not been so regular anymore. The chairman of the energy committee, and I, as the ranking member, think we have worked very hard. We have worked diligently on a daily basis to make sure we are working within our committee. We are producing bills.

In fact, as I understand, our committee has produced more than half of all the bills that have been reported and are ready for action on the floor. We have rolled up our sleeves and said: There are going to be areas where we disagree, but on those areas where we

can come together and make some good happen, let's make it happen, and we have been doing that. But you know what. If a committee works hard and produces good things and still doesn't go anywhere—wow. After a while we wonder why we are working so hard around here.

I know why I am working hard. I am working hard because the people in my State pay more for their energy than anywhere else in the country. I am working hard to make sure we have jobs for Alaskans and jobs for all people. I am working hard because I think the energy policy is fundamental to everything we do. We need to have the opportunity to have a full-on debate, and if we have some amendments that are tough, that is the way it is. Nobody asked me to come here and represent the people of Alaska because they knew that every vote was going to be easy. That is not how it works. Let's take some of the hard votes and let's get to the business at hand, which is a good, strong, bipartisan energy efficiency bill. Then when we are done with that one, I want to work with the chairman to address the unfinished business.

I want to work on measures that will help us enhance our energy production, whether it is with our natural gas onshore or offshore, whether it is to do what we can so we truly become an energy-independent nation or whether it is how we deal with some pretty hard issues, such as how we treat our nuclear waste and how we are going to move forward with an energy future that is based on renewables and alternatives, which I am all about.

We all stand here and talk about an "all of the above" approach. But you know what. People stop believing it when we just talk about it and we don't do anything to enhance our policies because we cannot get a bill to the floor. Then, when we get a bill to the floor, we hamstring ourselves.

I am not ready to give up on this energy efficiency bill. I am not ready to give up on energy policy or legislating in the energy sector just because we are getting bogged down. We have to demonstrate to the American public that we are governing. They are asking us to lead in an area on which we have not legislated in 5 years.

I know my colleague from Oregon, the chairman, agrees with me when I say we had some issues within our committee, and we are proud of the work we have done. We have proposals that focus on how we can make existing programs better or perhaps we need to repeal them. We have worked hard on a bipartisan basis with the authorizers and the appropriators to develop a good, solid proposal for how we deal with nuclear waste. If we cannot move forward on energy efficiency, how are we going to tackle these hard issues? How are we going to tackle the issues as they relate to this amazing expansion of natural gas and the recognition that we need to have an infrastructure

that keeps up with demand and everything else that is going on?

We are not giving up on this bill. We are not going to give up on the good bipartisan work Senator SHAHEEN and Senator PORTMAN have crafted. There are many other Members who have stepped forward to say: This is good stuff. Let's make it happen. So there is a lot of pent-up demand. For those who have waited a couple of weeks for their amendment, good. We need to address those too. But let's not sacrifice a good, strong bill that can be made better by good amendments to the bill itself. Let's not sacrifice that. This is a bill that has been in process for a couple of years because folks are saying: I have to have my piece right now. We can figure out how we craft an agreement that is workable from both sides.

I am certainly prepared to continue that work, and if the deal that has been offered at this point in time is not acceptable, OK, let's go back and figure out what is going to be acceptable. Let's not throw in the towel. This is too important. We have too much pent-up demand for energy solutions for this country.

I am here to stay focused on the issues at hand, but what we have in front of us—the bill we are working on—is a good, strong, bipartisan energy efficiency bill, and I want to continue that. I know my colleague, the chairman of the committee, wants to continue with that, and I think that is our effort here.

With that, I thank those who have stuck with us throughout this past week, but I am hoping we are going to be sticking with this for a while longer and we are going to see this bill cross the finish line.

I know the chairman wants to speak as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. I could see that we both—the Presiding Officer and I—were riveted by Senator MURKOWSKI and her remarks for a reason. Her remarks were truly inspiring. I will just say I think the Senate needed to hear Senator MURKOWSKI's remarks, and I think that is why the Senator from North Dakota, and all of us, were listening so carefully.

I just want to highlight some of what Senator MURKOWSKI said. The bill we are considering now is pretty much the platonic ideal for consensus legislation. It pretty much follows the kind of rules Senator ENZI and Senator Kennedy used to talk about—that wonderful 80-20 rule. I remember Senator ENZI talking to me about how they would try to agree on 80 percent but may not agree on 20 percent.

The Shaheen-Portman legislation has the Kennedy-Enzi type of principle, where 80 percent of it is common ground that makes sense, doesn't have any mandates, uses the private sector, and focuses on efficiency which creates jobs. Frankly, around the world, some

of the other countries try to get ahead by paying people low wages. We are trying to get ahead with legislation such as this, so we can wring more value out of the American economy and save money for businesses and consumers.

I think Senator SHAHEEN and Senator PORTMAN are going to talk more about the 3 years they put into meeting that kind of Kennedy-Enzi principle of good government and finding common ground. I can tell everyone that when they write a textbook on how we ought to put together a bipartisan bill, these two fine Senators have complied with it.

It is not by osmosis that they got the U.S. Chamber of Commerce, the National Association of Manufacturers, and the Business Roundtable to meet halfway with some of the country's leading environmental groups. It is because—as the Senator from New Hampshire and the Senator from Ohio demonstrated—they were out there sweating the efforts to try to find common ground. Of course, neither side gets exactly what they want, but that is how they built this extraordinary coalition.

Point No. 2 that Senator MURKOWSKI addressed—and I think it is very important as it was highlighted by my visit to the Presiding Officer's State in the last few days—is the whole question with respect to future legislation.

I come from a State—my colleagues know this—that doesn't produce any fossil fuels. We are a hydrostate and we have renewables, so a lot of people said: RON is going to be chairman of the Committee on Energy and Natural Resources so nobody is going to talk about anything except hydro and renewables.

The first hearing we held in our committee was on natural gas. The reason why Senator MURKOWSKI and I made that decision jointly is because there ought to be bipartisan common ground on capping the potential of natural gas for our country, our consumers, and the planet. It is 50 percent cleaner than the other fossil fuels. We have it, the world wants it, and a lot of companies are talking about coming back from overseas because they want that pricing advantage.

What I have been talking about to Senators—and I do it at every opportunity—is how do we find a win-win approach that is good for the consumer and good for business and good for the environment? For example, for natural gas we are going to need a way to get that gas to markets, and that is going to mean more pipelines. So one of the ideas that I want to talk about with Senators on our committee as well as off the committee is, wouldn't it make sense to say if we are going to need more pipelines, the pipelines of the future ought to be better, meet the needs of the industry, and also help us get that added little benefit for consumers and the planet by not wasting energy.

I saw folks in North Dakota working really hard to try to deal with flaring

and these methane emissions. So what I would like to do is exactly what Senator MURKOWSKI described this morning. She wants to get a bipartisan energy efficiency bill, which is a logical place to start, as the Senator said, on the “all of the above” strategy.

When we are done with that, we are going to move on to a whole host of other issues and in each case take as our lodestar this kind of win-win concept that can bring people together to find some common ground so we can tackle big issues. If we do that in the energy context, we will be doing something that helps create good-paying jobs, helps the consumer, and is also good for the planet.

My sense right now is that we have a number of issues colleagues on the other side of the aisle have felt strongly about for quite some time.

I think there is a real chance—and I have been advocating for it—to work out an agreement to deal with the two issues that have been particularly on the minds of some colleagues on the other side of the aisle—the health care issue and Keystone. Certainly I think there is a way to find common ground on those two issues procedurally so we could have a vote on two issues I have heard particularly conservative colleagues say are extraordinarily important to them. At that point, if our leadership could get an agreement on those two—and they could negotiate on any other matters where we could agree—but what we would ensure is we wouldn't have a situation where, in effect, a handful of colleagues who want to offer amendments unrelated to energy efficiency wouldn't be blocking dozens of Senators of both political parties who would like to offer bipartisan energy efficiency amendments. That is what we would face if we don't find a way to work this out.

I am part of this “we aren't giving up caucus” Senator MURKOWSKI described, because I think we came here to find a way to come together and deal with these issues. I will say, speaking for myself, if there is one thing I want to be able to take away from my time in public service—just one thing—and I would say to Senator MURKOWSKI that apparently the Presiding Officer was a volunteer in my first campaign; I was a Gray Panther, had a full head of hair and rugged good looks and all that—she is denying that, I can tell—if there is one thing I wish to take away from my time in public service it is what Senator MURKOWSKI alluded to, which is that we did everything on our watch to find common ground and deal with some of these issues.

That is why Senator ISAKSON and I have a fresh approach that I think will appeal to both sides of the aisle on Medicare. I have been involved with Senators on bipartisan tax reform, and Senator MURKOWSKI and I have been working on energy. She said, Let's not miss this ideal opportunity to put good government into action and that is by moving ahead with the Shaheen-Portman legislation.

Let us get an agreement. I think it ought to be achievable in the next few hours. I am going to go back—I have met with leadership on both sides and I am making the case that I think there is a procedural way out. I think Senator MURKOWSKI described it with the goodwill she demonstrated in what I thought was an inspiring address, and I can tell the Presiding Officer thought the same thing. I think we can find our way out of this.

I see the sponsors of the underlying legislation, Senator SHAHEEN and Senator PORTMAN, on the floor. I wish to thank them for the fact they have consistently said throughout this process they are willing to work with Senator MURKOWSKI and me for this kind of procedural route forward, and I think it is achievable, particularly if Senators reflect on the outstanding remarks just given by the Senator from Alaska.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I am pleased to join Chairman WYDEN and Ranking Member MURKOWSKI on the floor of the Senate today. I want to sign up for the “get it done caucus,” because I think this is legislation we can get done. It has bipartisan support from I believe the majority of the Members in this Senate. I think if we can get some agreement to move forward on this legislation and on the amendments, we can show the public, which is very frustrated with what is happening here in Washington, that we can actually get something done.

I wish to thank Senator WYDEN and Senator MURKOWSKI for all of their great work on the energy committee. I had the opportunity to serve my first 4 years on the energy committee. It is a great committee. They have done a terrific job of showing what it is like to be able to get work done, to be able to get people to come together and figure out where they can get agreement and move forward. It was in that spirit that Senator PORTMAN and I started working together 3 years ago, when we were both members of the energy committee, on energy efficiency legislation, working with the Alliance to Save Energy, and a number of members of the business community, and with all of these groups that have endorsed this legislation, to try and put together a bill where we could find some agreement. There has been a lot of division around energy issues in the last decade or so.

That is why it has been I think 6 years—actually since 2007—since an energy bill has come to the floor of the Senate, because there are those of us who believe the best way forward is to focus on fossil fuels and more oil and gas. There are others who believe alternatives and renewables, hydro and solar and wind, are the best way forward.

One of the aspects that is true in this entire energy debate, whether one comes from North Dakota, as the Pre-

siding Officer does, or New Hampshire, as I do, is that energy efficiency benefits all of us. It doesn't matter which form of energy one supports or which region of the country one is from; this is a place where we can get some consensus. It is agreement that allows us to move forward on job creation; it allows us to move forward on saving on pollution.

We have had several Senators on the floor over the last couple of days talking about the challenges of climate change and what is happening with our weather. This is a way to save on those emissions. It is a way to address cost savings. I have been to businesses all over New Hampshire that have been able to stay competitive because they have reduced their energy costs. In a State such as New Hampshire where we have the sixth highest energy costs in the country, it is important for us to figure out how we can lower those costs. That is one of the things this bill does.

The other aspect of the legislation that we haven't talked about as much on the floor is it reduces our dependence on foreign oil and foreign sources of energy, so it is also critical to our national security. As we think about our energy challenges in the future, making sure we can produce the energy we use in the United States is very important. As we think about what is happening in the Middle East, as we think about the challenges we have to stay competitive in the world, energy, as Senator MURKOWSKI said so well, is something that affects everything we do.

This bill has been criticized by some quarters for not being robust enough. I appreciate there are provisions in the legislation I might not have chosen to put in. There are others I would like to have seen in it we didn't get consensus on. But I think that is what we are talking about when we are talking about how do we reach consensus on a bipartisan bill and how do we get something done that can get through not only the Senate but the House. I think we have a good start in this legislation.

The bill would do several things. First, it would strengthen national model building codes to make new homes and new commercial buildings more energy efficient. We know about 40 percent of our energy used in this country is used in buildings, so making sure those buildings are more energy efficient is critical. It is particularly important for those of us who are in the northeast. In New Hampshire we have a lot of old buildings because we are an older part of the country, so we have a lot of buildings that have been there for a long time and we need to do what we can to make them more energy efficient.

Then the legislation would also train the next generation of workers in energy-efficient commercial building design and operation. It would expand on university-based building training and research assessment centers—some-

thing that is very important as we think about the future workforce.

Let me go back because when I talked about the national model building codes, I wanted to make sure everybody is clear that these building codes are voluntary; they are not mandatory. As Senator PORTMAN has said so well, there are no mandates in this legislation. This is an effort to look at incentives, to look at how we can encourage the private sector and consumers to be more energy efficient.

Then the bill also deals with the manufacturing sector, which is the biggest user of energy in our economy. It directs the Department of Energy to work closely with private sector partners to encourage research, development, and commercialization of innovative energy-efficient technology and processes for industrial applications. That is a mouthful, but what it says is—and this is something we heard from stakeholders, from those businesses that work in the energy industry, which is they want to have a better working relationship with the Department of Energy. They want to be able to feel as though there is support there as they are trying to take technologies to commercialization. It also helps manufacturers reduce energy use and become more competitive by incentivizing the use of more energy-efficient electric motors and transformers.

About 4 percent of energy use in this country is through electric motors and transformers. I have been interested in transformers because we have a company in New Hampshire called Warner Power that has made the first breakthrough in transformer design in 100 years. If we can get their energy-efficient transformers, or something like them, into buildings and projects across the country, we could save significant amounts of energy.

As we look at the manufacturing sector, the legislation also establishes a program called Supply Star, to help make companies look at their supply chains and figure out how to make their supply chains more efficient. I can remember when I was on the energy committee and we were talking about this whole issue of supply chains and we were debating whether it was important to encourage companies to look at their supply chains, people were saying, It doesn't make that much difference in terms of the actual energy use. I pointed out that we have a company in New Hampshire called Stoneyfield Farm that makes yogurt—great yogurt. If my colleagues haven't had it, they should try it. But they have been very interested in being more energy efficient. They have looked at all of their processes and they have figured out how they can do the best possible job at saving on energy. What they discovered is their biggest problem isn't how they produce the yogurt, it is the cows they depend upon for the milk to produce the yogurt because the cows release so much

methane. That was the problem in terms of their supply chain and with the amount of energy they were using. So helping companies take a look at their supply chain and figure out how to reduce the energy use through that supply chain is very important and it is an important piece of this bill.

Then the third section in the legislation deals with the Federal Government. I know all of us know this because we are here and we are working hard on energy. The Federal Government is the biggest user of energy in this country. Most of that energy is used by the military. About 93 percent is used by the military. The military understands it is important for them to figure out how to be more energy efficient. They have been real leaders in government—the Navy in particular, but all branches in the military have looked at how they can be more efficient in using energy. Our legislation tries to incentivize the rest of the government to catch up with the military. So we would ask agencies to look at data centers—and we have some very good amendments from Senators RISCH and UDALL and Senator COBURN to take a look at data centers because they are a big waster of energy in the Federal Government. It would allow Federal agencies to use existing funds to update plans when they are constructing new buildings so they can make them more energy efficient. We have a number of amendments which would also address how we can make the Federal Government more energy efficient and be a leader as we look at what is happening in the private sector to save on energy, so this bill is a very good start for how to address energy efficiency. Senators MURKOWSKI and WYDEN have said we have over a dozen agreed to, bipartisan amendments that would make the bill even better. I hope we can get to those amendments. I think it is really important for us to do this.

But to answer those people who say that this is just a little bill, that it is not going to make much difference, I would point to a new study that just came out from the American Council for an Energy-Efficient Economy. They looked at this legislation without the amendments—and the amendments are going to make it better—and they said that if we can pass this legislation, by 2025 the legislation will encourage the creation of 136,000 new jobs, not just in businesses that are going to be more efficient and so they can create more jobs but in businesses that are producing the energy-efficient technologies that are going to allow us to be more energy efficient. By 2030 the bill would net an annual savings of over \$13 billion to consumers, and it would lower carbon dioxide emissions and other air pollutants by the equivalent of taking 22 million cars off the road. That is a pretty good savings and solution.

So, as we have all said, this is a win-win-win. It makes sense for us to move on this legislation. It makes sense for

what we can accomplish with the legislation itself. It makes sense in terms of other energy issues that are pending and what we need to do to make sure we position the United States and our businesses and our families to be more energy efficient to be able to compete in the new energy world we are entering.

We need to start now to address energy, and I hope we are going to be able to get by the impediments that currently face us so we can begin to vote, so we can adopt the great amendments that have been proposed, and so we can actually act on this bill.

Thank you very much, Madam President.

I am pleased to see my partner on this legislation on the floor to talk about why we need to pass this bill.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I appreciate the comments of the Senator from New Hampshire on the important benefits of this legislation. I will start by saying I think we are pretty close to figuring out a way to move forward if we can get both the majority and the minority party leadership teams to look at the list. We have about a dozen bipartisan amendments ready to go on. In fact, more than half of those amendments have already been discussed at some length on the floor, so I think the time agreement could be relatively narrow, and we could move quickly. Some of them could be voice-voted. And then we have some amendments that are not directly related to energy efficiency but related to energy. I would hope we could take those up as well.

My understanding is that there has been a general agreement to have a vote on the Vitter amendment. That is something I have heard on the floor from leadership. And then we also have a Keystone amendment that I think there is an agreement to move forward on that relates to energy more broadly and one where I think this body has a strong interest in expressing itself.

I hope we could figure out how to move forward on this and do it quickly. We are wasting time right now. We have spent the last couple days on the floor, again, talking about all these amendments. So if there are concerns about time, let's get going because we can process these amendments quickly. I appreciate the fact that the majority leader is working with us. He is keeping the door open. So we are going back and forth.

I really do believe this is a seminal moment in the sense that if we cannot even do a bipartisan bill like this on energy efficiency that came out of the committee with a 19-to-3 vote, what can we do? It is an important piece of legislation. It is not a major piece of legislation like the continuing resolution or the debt limit or tax reform or entitlement reform—things this body knows it has to address—but it is a step forward, and I think it would pro-

vide a model for how we can move forward on other issues.

We have spent 2½ years working on this legislation. We have been able to garner the support of over 260 businesses and trade associations that believe this is good legislation for our country. That is one reason we got a 19-to-3 vote out of committee. That is one reason there is a lot of support on the floor for this underlying bill. It is ultimately about having a smart energy strategy.

I believe we should produce more energy here in this country, particularly in the ground, in America, right now. I think that is good for our economy and our country. We should also use it more efficiently. This is an opportunity to have a true “all of the above” strategy—in this case, energy efficiency, going along with production and other important elements of an energy strategy that makes sense. I hope we will be able to make progress on this today and move forward and start to have some votes on these good amendments that actually improve the legislation, in my view.

The jobs issue is also one that is paramount. Think about it. There is a report out that my colleague from New Hampshire talked about that says there will be 136,000 additional jobs created by this legislation by 2030. I think that is a low-ball estimate because there will be jobs created in energy efficiency. In other words, by encouraging—not through mandates because there are no mandates in this legislation except on the Federal Government to get them to practice what they preach, as we talked about yesterday—by encouragement and incentives, there will be more jobs created in the energy efficiency field. That is good for our economy.

More significantly to me, there will be jobs created because American businesses will be more competitive. They will be able to spend less on energy and more on expanding plant and equipment and people, and they will be hiring more people as they level the playing field, in essence, on one of the essential costs of doing business, which is the cost of energy. We need that right now. Our economy is weak. We have not had the recovery all of us hoped for. They say it is the weakest economic recovery we have lived through since the Great Depression. We simply need to have that shot in the arm. This is one way to do it. It is not the only way to do it, but it would certainly help.

Finally, it is going to help our economy in ways that are important. Right now we have a trade deficit, and it is driven by a couple factors. One is China and the other is energy. Taking those two out would be almost an even balance of payments. That trade deficit is driven in part by the fact that we still have this demand for a lot of foreign energy. By making these relatively small important steps in energy efficiency, it will actually reduce our dependency on foreign sources of energy.

As I said earlier, I think we should produce more energy in this country. That is part of the answer, but part of it is also using it more efficiently, using it more wisely, which I believe is a conservative value, and it also happens to help on the trade deficit and therefore will help our underlying economy.

These are all positive aspects of this legislation that I would think Members on both sides of the aisle acknowledge. If we cannot move forward again on something that makes so much sense, that does have that kind of support across the aisle, I worry about whether we can deal with these bigger issues that we must deal with for the American people.

It also, of course, leads to a cleaner environment. Why? Because of having to build fewer powerplants. And through efficiency you are going to have fewer emissions.

This is why you have groups from the chamber of commerce—which is key voting this legislation, by the way—to groups on the environmental side saying this is good legislation. It makes sense. Strange bedfellows when you have the National Association of Manufacturers and the chamber of commerce and other business groups with environmental groups, such as the Natural Resources Defense Council, saying this makes sense. Let's move forward with it.

I am hopeful we can move forward not just on resolving these differences on what amendments can be offered and voted on but also move forward on this underlying bill, send it to the House, where there is interest in this bill, where there is on both sides of the aisle an interest in taking up efficiency legislation, and then send it to the President for his signature and actually be able to go home and say: You know what. We did something here to help create jobs, grow the economy, have a cleaner environment, deal with our trade deficit, and again create a model for how other issues can be resolved.

For Members who are listening and who have not come to the floor yet to talk about their amendments, I hope they will do that because we may have a relatively narrow window now because of the fact that we are spending so much time trying to resolve these differences on which amendments can get a vote. I am hopeful we will have the opportunity to start voting today yet. If we do, we can move quickly and we can dispose of these issues.

By the way, some of the issues are not directly related to energy efficiency. If they do not come up on this bill, they are going to come up on another bill, so it is better, in my estimation, for us to go ahead and have some of these debates, have some of these discussions, go ahead and see the votes. Again, they should be subject to time limitations. We should have a reasonable list. We think we have a reasonable list now, going back and forth,

and I am hopeful we will be able to resolve that. But in the meantime, if Members can come down and talk about their amendments, that would be very helpful for us to ensure we can get to the underlying bill and move forward.

I thank the chairman and the ranking member because they have been working very closely with us not just for the last 2½ years to put together legislation that has this broad support, but more recently they have been helping Senator SHAHEEN and me to ensure that we do have on both sides of the aisle good lines of communication and the ability to move forward with an energy bill. They care about efficiency. I will let them speak for themselves, and they have done that ably earlier today. But they also care about an energy agenda for our country, and they view this as one of the first major pieces of energy legislation that can lead then to other bills.

For those who would like to discuss broader energy topics but would not have the ability to do it on this legislation—or maybe they do not have their amendments fully formed on that—the commitment from the chairman and ranking member is that they are going to have additional energy legislation. I serve on the committee. I can tell you, I have a strong interest in moving forward on some of the fossil fuel legislation, for instance. They have made a commitment to do that.

So there will be other opportunities where we will have broader energy legislation that deals with the production side, deals with the important part of our energy strategy—in addition to energy efficiency—that lets us truly have an “all of the above” energy strategy. I thank them for that commitment and for their strong work on this legislation. Once we move this, it will be much easier then to see us move forward on these other bills. Success begets success.

With that, I am hopeful that Members will come to the floor and talk about their amendments—I see one of my colleagues coming to the floor now—and we can move forward with a good discussion on energy issues and move to these amendments as soon as possible and then move to final passage.

I yield back my time.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Arkansas.

Mr. PRYOR. Madam President, I wish to thank my two colleagues from New Hampshire and Ohio and, of course, my colleagues from Alaska and Oregon as well for their leadership on this very important piece of legislation.

I have four amendments that I would love to be considered, that I would love to be included in the legislation, and I hope we are able to move these forward. But let me just talk about two of those. I do not want to take the Senate's time. I understand other Senators may be on their way over to the floor to speak.

Let me first start with the Quadrennial Energy Review. This is something on which I have worked with the Senator from Alaska and many others in this Chamber. In fact, it is a bipartisan amendment. It is amendment No. 1881. Our cosponsors are Senators ALEXANDER, BEGICH, BOOZMAN, COONS, HEINRICH, TESTER, TOM UDALL, and WYDEN. Again, it is a bipartisan group of Senators.

Basically, one of the things we have learned from the Department of Defense is every 4 years they do a Quadrennial Defense Review, and that helps them determine what is going on within their agency as an agency. It helps them determine the strengths and weaknesses, the needs that need to be addressed. It helps them plan, and it also helps us make decisions. We want to make good defense decisions. The only way you do that is by knowing what you have on hand and what you need.

Well, this is the same for energy. We have a lot of very well-intentioned energy programs and ideas that either float around this Capitol Building or float around the various Departments or that are law right now. A lot of these programs exist, but they are not necessarily coordinated. There is no one there who is really making sure all of the dots connect and we are able to have a smart energy policy.

So I feel like a Quadrennial Energy Review, every 4 years we would go—the Federal Government—top to bottom, look at all of our energy needs, look at our capabilities, look at our shortcomings, look at where we need to focus our resources. Should we be doing research in one area and should we be focusing on manufacturing somewhere else? But this will allow us to have a good, solid review every 4 years so we can make good decisions, so the various Departments can make good decisions. Also, it will help industry know kind of what is coming down the pike. It will help bring us together and coordinate in a very positive and constructive way.

So the Quadrennial Energy Review, from my standpoint, is a very important piece and building block. It is laying the foundation for having a smart energy policy for this country. That is one thing we need to recognize, quite honestly, here in the Senate. Again, we have good intentions, but we do not always have a good, cohesive, and smart energy policy. So the QER is something I hope we would be able to get through on this legislation and get this legislation moving through the process.

Let me give you one example, Madam President, on the Quadrennial Energy Review.

We have in our country now a lot more domestic energy than we have had in years past, and it is very exciting. In my State we produce a lot of natural gas through horizontal drilling and fracking, et cetera, and that is common in many other States around

the country. I see some Senators here where they have the same thing. Sometimes it is oil, sometimes it is gas, sometimes it is both.

Let's take natural gas for one moment. We have people come into my office, and they will say: Hey, this is great that we have all of this natural gas now. Why don't we liquefy it and export it? Okay. That is an idea. We ought to talk about that and think about that.

Or another group will come in and say: Hey, we have all of this natural gas. Why don't we actually turn it into diesel fuel? Okay, apparently you can do that. The technology is there. Let's talk about that.

Then we have other folks who come to us and they say: Why don't we take this natural gas and let's convert our diesel fleet over to natural gas? Here again, okay, that all sounds good. But I do not think you can do all three of those things. We do not have any mechanism right now to coordinate that and put all of that together and get consistent with our energy policies.

Mr. WYDEN. Will the Senator yield for a question?

Mr. PRYOR. Absolutely.

Mr. WYDEN. Madam President, it strikes me that the Senator's idea is practical right now. Because you look at the changes we have seen in the last 4 or 5 years—particularly in areas such as natural gas. We were talking about it with the Senators from North Dakota. This would be the point of the Senator's amendment, to get the policies of the government to start being reflective of what goes on in the marketplace. Four or five years ago in our State we were having pitched battles whether to develop import facilities for natural gas. They were pretty spirited discussions. People were getting hauled out by the gendarmes and all of that.

Now we are having the same kind of battles about whether we ought to build export facilities. Is that the Senator's desire, to make sure the government and the policies of the government sort of keep up with the times? It strikes me the Senator from Arkansas is proposing an amendment that is particularly timely right now.

Mr. PRYOR. That is exactly right. I thank the Senator from Oregon for his good question, because that is exactly right. We need some mechanism to make sure we are consistent and coherent and cohesive in our energy policy in the country. Things change. That is why you want to do this about every 4 years. You do not need to do it every year. It is too much work and too much going on. But just as with the Department of Defense, things change. What happens is you get a benchmark from 4 years ago that suddenly you have a good comparison. You have a baseline that you can look back to 4 years ago and see if you are making progress, if your policy is going in the right direction.

Maybe in this case we have a lot of energy programs that are not working

very well. This will help us identify those. Maybe we have some that are working great, that we ought to be spending more money on. This will help us identify those.

I do thank the Senator for his question.

I do see we have other Senators coming to the floor.

Let me talk very quickly about one other amendment I have. It is the voluntary certification program, here again, bipartisan, working with Senator SESSIONS. It is amendment No. 1879. This is a very specific amendment for some very specific industries: heating, cooling, commercial refrigeration and water-heating products. This is not economywide. This is very specific to those industries. But right now what they do is they self-certify. They self-certify. I think they should be allowed to continue to do that, assuming their certification meets certain credible and scientific standards, which I think they do now. If they do not now, they should.

But what this will do is actually save the government money. There is no reason why the Department of Energy and others should be reviewing this and making them do extra certification and more testing, et cetera, when it has already been done right now to the standards everyone should accept.

I could talk more about this. I do see I have a couple of colleagues here on the floor. It is my understanding they would like to speak.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I hope we are moving to votes on this bill, to votes on our "no Washington exemption" language. I certainly continue to encourage that and continue to support that.

The reason that is important, particularly on this "no Washington exemption" language is because unless we act on October 1, what I think is a completely illegal rule from the Obama administration that does create a special Washington exemption will go into effect.

First of all, I think it is very unfortunate, sure is frustrating, that I and others have to be here on the floor blocking an illegal rule in the first place. Because, you see, on this point ObamaCare is clear. The actual statutory language of ObamaCare says clearly that all Members of Congress and their congressional staff go to the exchange. It is crystal clear about that. All of us. In another section, section 1512, it also says clearly any folks going to the exchange lose their employer-based subsidy. That is crystal clear.

CHUCK GRASSLEY, our distinguished colleague, authored this provision. He could not have been more clear about where he was coming from about the intent. He said at the time, "The more that Congress experiences the laws it passes, the better." He is exactly right.

That is what this is all about. That is what that provision is all about. Legal experts such as David Ermer, a lawyer who has represented insurers in the Federal employee program for 30 years, said clearly, "I do not think members of Congress and their staff can get funds for coverage in the exchanges under existing law."

That is very clear, particularly from the precise language of the ObamaCare statute. So it is pretty darn frustrating that my colleagues and I who are pushing this "no Washington exemption" language have to be here doing this to begin with. It is all because of an illegal rule to bail out Congress, to create out of thin air a Washington exemption that will go into effect, unless we act, October 1. So that is why we must act. That is why we must vote in a timely way.

The first thing this illegal rule says is, we do not know what staff are covered so we are going to leave it up to each individual Member of Congress to even decide which, if any, of their staff have to go to the exchange. That is a ludicrous interpretation of the clear statutory language. It is ludicrous on its face, because that language says "all official staff."

Secondly, and even more outrageous in my opinion, this illegal rule says: Whoever does go to the exchange from Congress, from staff, gets this very generous taxpayer-funded subsidy transferred from the Federal employees health benefits plan which we are leaving to the exchange. Where did that come from? That is not in ObamaCare. In fact, section 1512 of ObamaCare says exactly the opposite with regard to all employer-based contributions. So where did that come from? It came out of thin air. It came from intense lobbying to have President Obama create this special Washington exemption.

I urge all of my colleagues to do the right thing and say, you know what, the first most basic rule of democracy is we should be treated the same as America under the laws we pass. That should be true across the board, certainly including ObamaCare.

That is why the Heritage Foundation recently said:

Obama's action to benefit the political class is the latest example of this administration doing whatever it wants, regardless of whether it has the authority to do so. The Office of Personnel Management overstepped its authority when it carried out the President's request to exempt Congress from the requirements of the health care law. Changing laws is the responsibility of the legislative branch, not the executive.

They also said:

Millions of Americans are going to be losing their existing coverage and paying more for health insurance. Under the Vitter amendment, so would the Obama administration's appointees, Congress and congressional staff. They baked that cake, now they can eat it too.

Similarly, National Review said recently:

Most employment lawyers interpreted that—

Meaning the ObamaCare language—to mean that the taxpayer-funded federal health insurance subsidies dispensed to those on Congress's payroll—which now range from \$5,000 to \$11,000 a year—would have to end.

A little later in the same opinion piece they wrote:

Under behind-the-scenes pressure from members of Congress in both parties, President Obama used the quiet of the August recess to personally order the Office of Personnel Management, which supervises Federal employment issues, to interpret the law so as to retain the generous Congressional benefits.

The Wall Street Journal has also weighed in. I think they are right.

The issue is the White House's recent ObamaCare bailout for members of Congress and their staffs. If Republicans want to show that they stand for something, this is it. If they really are willing to do whatever it takes to oppose this law, there would be no more meaningful way to prove it.

As I said, the author of this original provision of ObamaCare made it perfectly clear where he was coming from. That is our distinguished colleague CHUCK GRASSLEY. "The more that Congress experiences the laws it passes, the better." The distinguished lawyer regarding this area of law, David Ermer, also said, it is clear: "I do not think members of Congress and their staff can get funds for coverage in the exchanges under existing law."

That is why we have to act and have to vote before October 1.

Finally, in closing, let me say, I want to be very direct and ask Members and the public to beware of another approach to defeating this "no Washington exemption" language. That approach is pretty clever and it is pretty cynical. That approach is to say: Oh, this is a great idea, but we actually need to expand this to all Federal employees.

There are Members promoting this approach, particularly on the Republican side. That will have one effect and one effect only: It will help ensure absolutely, no ifs, ands, or buts, that my language does not pass or that language does not pass. In fact, one of the main Republican proponents of that language said in a meeting which I attended: This will be perfect because under that scenario, under that language, all Republicans can vote yes, all Democrats can vote no, and it will be killed and we will keep the subsidy.

That is the game. That is the point. That is what is going on. We need a straight up-or-down vote on this "no Washington exemption" language which is filed as an amendment to this bill on the floor, which is filed as a separate bill. I very much look forward to that before October 1.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

(The remarks of Mr. HATCH pertaining to the introduction of S. 1518 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. I wish to commend Senator SHAHEEN and Senator PORTMAN for their hard work in bringing a bipartisan bill to the floor that will boost energy efficiency in government, in industry, and in commercial and residential buildings. This bill will help increase our economic competitiveness, enhance our national security, and combat global climate change.

Energy efficiency improvements are a smart, cost-effective way to reduce pollution, increase the competitiveness of our manufacturers, and put people back to work in the building trades.

We don't have an energy problem in this country; we have a waste problem. Last October the Department of Energy and Lawrence Livermore National Labs calculated that we waste 57 percent of all energy produced—57 percent. We are becoming more energy efficient, but we have a long way to go, which is why the Shaheen-Portman bill is so important.

I wish to speak about two changes I would like to see in the Tax Code that would help us achieve our goals of energy efficiency. I have worked on two bills in this regard and I will be speaking about them as we go through this session of Congress. I have noted amendments, but as I think the Presiding Officer is well aware, to try to put a tax provision on a bill that originates in the Senate causes what is known as the blue slip when the bill is taken to the House, since all tax bills must originate in the House of Representatives. Therefore, I will be looking for opportunities to advance these two energy-related bills but will not have the opportunity on the legislation that is before us.

Energy efficiency is as important as renewables, nuclear, and fossil fuels in an "all of the above" strategy to meet the Nation's energy demands. In fact, the cheapest, cleanest "energy" we have is the energy we don't need because of energy efficiency improvements.

Our Tax Code in turn can be an effective tool in promoting energy efficiency. Consider that buildings account for more than 40 percent of our energy consumption in the United States. So by encouraging businesses to make energy-efficient upgrades in their buildings, we can reach substantial energy savings. A recent study by McKinsey & Company backs me up. The study concluded that maximizing energy efficiency for homes and commercial buildings could help our country reduce energy consumption by 23 percent by 2020 and cut greenhouse gas emissions by 1.1 gigatons annually. This is

the equivalent of taking all passenger cars and light trucks off the road for a year.

Making buildings more efficient is more cost-effective than developing new energy sources. Current building codes are already making new construction significantly more efficient, but a boost is needed for older structures.

Up to 80 percent of the buildings standing today will still be here in 2050, so encouraging the retrofitting of existing buildings needs to be a priority. Even buildings that are fairly new can benefit from retrofitting. For example, Bush Stadium, home of the St. Louis Cardinals, was built in 2006, but energy improvements in 2011 reduced energy consumption by 23 percent.

We could see more successful projects such as this proliferate across the Nation, but our current tax policies have not yet proved to be meaningful incentives for making energy-efficient upgrades to existing buildings. For example, the landmark upgrade of the Empire State Building, which is under contract to lower energy consumption by almost 40 percent, could not qualify for a 179D deduction under the law's current structure. Senator FEINSTEIN and I are working on legislation that would make commonsense reforms to the existing section 179D tax deduction.

Section 179D of the Internal Revenue Code provides a tax deduction that allows cost recovery of energy-efficient windows, roofs, lighting, and heating and cooling systems that meet certain energy savings targets. Section 179D allows for an accelerated depreciation that encourages real estate owners to make the significant front-end investments in energy-efficient upgrades. The deduction is scheduled to expire at the end of this year. By extending, modifying, and simplifying this important provision, we can encourage energy savings, create thousands of retrofitting jobs in the construction industry, and reduce energy bills for all consumers—a win-win-win situation. Our legislation would make this critical incentive more accessible and effective for existing buildings that are currently using inefficient lighting systems, antiquated heating and cooling systems, and poor insulation. Upgrading and improving the 179D deduction will make thousands of businesses more competitive and create good-paying jobs right here in the United States.

In addition to commercial properties, our bill will also help promote energy efficiency in private residences. Homes consume more than 20 percent of our Nation's energy, so we need to give American homeowners a helping hand to increase the energy efficiency of their properties. Our legislation does this by establishing a section 25E tax credit for homeowners. Homeowners would receive a 30-percent tax credit of up to \$5,000 for making an investment in energy efficiency and reducing energy consumption and costs. Simply

put, it is an incentive that encourages homeowners to choose the most inexpensive option for saving energy. At a time of Federal budget constraints, we must prioritize tax policies so they promote the most cost-effective methods of bolstering our energy security. Performance-based energy efficiency improvements can transform America's homes and lower energy bills for the families who live in them.

Finally, our legislation targets the sector with the largest potential for increasing energy efficiency in our country—the industrial sector. Our bill offers focused, short-term incentives in four areas to help manufacturers make the efficiency investments necessary to innovate and compete. These critical areas include water reuse and replacing old chillers that harm the atmosphere.

I have a letter dated September 17, 2013, from a large coalition of business, labor, and environmental groups supporting the Cardin-Feinstein approach to the reform of section 179D. The Real Estate Roundtable spearheaded the letter, but 50 different organizations have signed on. I want to quote one part of that letter. This is a quote from the letter that was sent in support of the legislation:

The Section 179D deduction is a key incentive to leverage significant amounts of private sector investment capital in buildings. It will help spur construction and manufacturing jobs through retrofits, save businesses billions of dollars in fuel bills as buildings become more energy efficient, place lower demands on the power grid, help move our country closer to energy independence, and reduce carbon emissions.

I think that is exactly what we should be doing. These are the types of incentives we should be working for. If you look at the groups that have signed on to this letter, these are groups that understand how to create jobs and that Congress can help in that regard.

Madam President, I ask unanimous consent that a copy of that letter be printed in the RECORD following my remarks.

Senator CRAPO and I will be introducing legislation that will fix a problem that is keeping energy-efficient roofing materials from being deployed. This is a separate bill that I think could help us create jobs, save energy, and help our environment.

The current Tax Code acts as an obstacle to retrofitting old roofs with energy-efficient ones because, generally speaking, commercial roofs are depreciated over 39 years. Our bill would shorten the depreciation schedule to 20 years for roofs that meet certain energy efficiency standards and that are put in place over the next 2 years. By shortening the depreciation schedule, we are lowering the amount of tax businesses would otherwise have to pay. They get the advantage of their savings in the early years.

This change will create more jobs by encouraging the construction of new roofs and by putting more cash into the hands of businesses. It is good tax

policy because the average lifespan of a typical commercial roof is only 17 years. So this legislation corrects an inequity in the Tax Code by aligning the depreciation period closer to the lifespan of commercial roofs.

Securing America's energy and economic future requires a renewed focus on energy efficiency. I hope we can pass the legislation that is before us and send it to the House. I hope the House will send us a tax bill that can serve as the basis for using the Tax Code to promote energy efficiency.

Energy efficiency gains are a win-win for families, businesses, job seekers, taxpayers, our human health, and the environment. We can create jobs, we can help our economy, we can become more competitive, and we can have a cleaner environment if we do the right thing with the legislation before us and are able to improve our Tax Code to help achieve those goals.

I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEPTEMBER 17, 2013.

Re: 179D Tax Deduction for Energy Efficient Buildings.

Hon. MAX BAUCUS,
Chairman, Committee on Finance,
U.S. Senate.

Hon. ORRIN HATCH,
Ranking Member, Committee on Finance,
U.S. Senate.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means,
House of Representatives.

Hon. SANDER LEVIN,
Ranking Member, Committee on Ways and Means,
House of Representatives.

DEAR CHAIRMEN AND RANKING MEMBERS: Our organizations and companies represent a broad spectrum of the U.S. economy and include real estate, manufacturing, architecture, contracting, building services firms, financing sources, and environmental and energy efficiency advocates. Many of the entities we represent are small businesses that drive and sustain American job growth. We support the tax deduction at section 179D of the Internal Revenue Code, which encourages greater energy efficiency in our nation's commercial and larger multifamily buildings. As Congress continues to assess comprehensive tax reform, we support section 179D's extension and necessary reforms to spur retrofit projects in existing buildings.

The section 179D deduction is a key incentive to leverage significant amounts of private sector investment capital in buildings. It will help spur construction and manufacturing jobs through retrofits, save businesses billions of dollars in fuel bills as buildings become more energy efficient, place lower demands on the power grid, help move our country closer to energy independence, and reduce carbon emissions.

Section 179D provides a tax deduction (not a credit) that allows for cost recovery of energy efficient windows, roofs, lighting, and heating and cooling systems meeting certain energy savings performance targets. Without section 179D, the same building equipment would be depreciated over 39 years (business property) or 27.5 years (residential property). These horizons do not meaningfully encourage real estate owners to bear the immediate and expensive front-end costs associated with complex energy efficiency upgrades. Section 179D allows for accelerated depreciation of high performance equipment that achieves significant energy savings.

Current law has the perverse effect of discouraging energy improvements. Utility bills and the costs of energy consumption are part of a business's ordinary and necessary operating expenses, and are thus fully and immediately deductible. Section 179D is a critical provision because, by encouraging greater building efficiency, it aligns the code to properly incentivize energy savings. Moreover, relative to the code's incentives for energy creation, taxpayers get more "bang for the buck" through efficiency incentives like the section 179D deduction. Dollar for dollar, it is much cheaper to avoid using a kilowatt of energy than to create a new one (such as through deployment of fossil fuel or renewable technologies). As a matter of tax, budget, and an "all of the above" energy policy, section 179D checks all of the right boxes.

Regardless of the ultimate result of comprehensive tax reform, the section 179D deduction is scheduled to expire at the end of this year. While the provision should be carefully considered as part of the code's possible overhaul, Congress should also extend this important incentive with reasonable improvements that better facilitate "deep" energy retrofit improvements in buildings. In this regard, the Commercial Building Modernization Act (S. 3591) from last Congress—introduced by Senators Cardin and Feinstein, and former Senators Bingaman and Snowe—is a step in the right direction of a "performance based" and "technology neutral" deduction that both of your committees have emphasized must be the hallmarks of any energy tax incentive. Revisions of the sort proposed by S. 3591 would improve the section 179D deduction by providing a sliding scale of incentives that correlate to actual and verifiable improvements in a retrofitted building's energy performance. S. 3591 does not select technology "winners or losers" but respects the underlying contractual arrangements of building owners and their retrofit project design teams, who are best suited to decide which equipment options in a given structure may achieve high levels of cost-effective energy savings.

Furthermore, any 179D reform proposal should ensure that building owners have their own "skin in the game" of a retrofit project—such as S. 3591's specification that the financial benefits of the tax deduction cannot exceed more than half of project costs.

Congress should extend and improve the section 179D tax deduction before it expires at the end of 2013. We urge you to look to S. 3591 from last Congress as the starting point for further deliberations and refinements this fall.

SUPPORTING ORGANIZATIONS

ABM Industries; Air Conditioning Contractors of America; Air-Conditioning, Heating and Refrigeration Institute; American Council for an Energy-Efficient Economy; American Gas Association; American Hotel & Lodging Association; American Institute of Architects; American Public Gas Association; American Society of Interior Designers; ASHRAE; Bayer MaterialScience LLC; Building Owners and Managers Association (BOMA) International; CCIM Institute; Concord Energy Strategies, LLC; Consolidated Edison Solutions, Inc.; Council of North American Insulation Manufacturers Association.

Danfoss; Empire State Building Company/Malkin Holdings; Energy Systems Group; First Potomac Realty Trust; Independent Electrical Contractors; Institute for Market Transformation; Institute of Real Estate Management; International Council of Shopping Centers; International Union of Painters & Allied Trades (IUPAT); Johnson Controls, Inc.; Mechanical Contractors Association of America (MCAA); Metrus Energy,

Inc.; NAIOP, the Commercial Real Estate Development Association; National Apartment Association; National Association of Energy Service Companies (NAESCO); National Association of Home Builders; National Association of REALTORS®; National Association of Real Estate Investment Trusts.

National Association of State Energy Officials; National Electrical Contractors Association; National Electrical Manufacturers Association; National Lumber and Building Material Dealers Association; National Multi Housing Council; National Roofing Contractors Association; Natural Resources Defense Council; Owens Corning; Plumbing-Heating-Cooling Contractors—National Association; Polyisocyanurate Insulation Manufacturers Association (PIMA); Real Estate Board of New York; The Real Estate Roundtable; The Sheet Metal, Air, Rail and Transportation International Association; Sheet Metal and Air Conditioning Contractors' National Association; U.S. Green Building Council; Window and Door Manufacturers Association.

Mr. CARDIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

THE ECONOMY

Mr. SANDERS. Mr. President, 5 years ago, as a result of the greed and the recklessness and the illegal behavior on Wall Street, this country was plunged into the worst economic crisis since the Great Depression of the 1930s. As a result, millions of people lost their homes, lost their jobs, and lost their life savings. And about 5 years ago we were looking at a situation where some 700,000 Americans a month were losing their jobs—an unbelievable number. The stock market plummeted. There was panic in the financial sector.

The good news is that to a significant degree we have stabilized that situation. We are not losing hundreds of thousands of jobs a month. The stock market is, in fact, doing very well. But what is important to understand is that it is imperative we not accept the “new normal” for the economy as it is today because the reality is that today, while the situation is better than it was 5 years ago, for the middle class and for the working families of this country the economy is still in very bad shape. And I am not just talking about a 5-year period; I am talking about a generational situation.

Mr. President, you may have seen that just yesterday the Census Bureau came out with some new and extremely disturbing statistics, and it tells us why so many Americans are frustrated and angry with what is going on in Washington and why so many people respond to pollsters and say: Yes, we believe the country is going in the wrong direction.

What they are saying is true. They have every reason to be angry, every

reason be frustrated. Of course, economically this country is moving, in a very significant way, in the wrong direction.

This is what the Census Bureau reported yesterday: They said the typical middle-class family, the family right in the middle of American society, that median family income today is less than it was 24 years ago. Median family income today for that typical American family is less than it was 24 years ago.

In 2002, typical middle-class families, that family right in the middle, made \$51,017. Back in 1989, that family made \$51,681. What does that mean? It means that 24 years later, after all of the effort and the hard work of people, today they are worse off than they were 24 years ago.

Let's think about what that means. It means that despite the explosion of technology and all of the robotics, all of the cell phones and everything else that has made this economy more productive, the median family income today is worse than it was 24 years ago.

I will give you an example of what that means. If during the period from 1989 through 2012 that typical American family had received just a 2-percent increase in their income—just 2 percent, a very modest increase—that family today, instead of making \$51,000 a year, would be making \$81,000 a year. That is a \$30,000 gap.

If over that 24-year period people had seen a modest—I am not taking about a huge increase—a modest increase in their income of 2 percent, which people certainly deserve, that family would make \$81,000 a year. Today that family is making \$51,000 a year—less than that family was making 24 years ago.

This is what the Census Bureau also reported. They said the typical middle-class family has seen its income go down by more than \$5,000 since 1999, after adjusting for inflation—\$5,000.

They told us the average male worker made \$283 less last year than that same worker made 44 years ago. Do you want to know why people are angry? They see an explosion of technology, they see an explosion of productivity, and yet a male worker today is making less than a male worker—the average male worker—made 44 years ago.

The average female worker earned \$1,775 less than they did in 2007. A record-breaking 46.5 million Americans lived in poverty last year. That is more people living in poverty than at any time in American history. Sixteen million children live in poverty. That is almost 22 percent of all kids in America. That is the highest rate of childhood poverty in the industrialized world. That is the future of America. Over one out of five kids in the country is living in poverty.

A higher percentage of African Americans lived in poverty last year than was the case 15 years ago, and 9.1 percent of seniors lived in poverty last year, higher than in 2009. More American seniors were living in poverty last

year than in 1972. Today, 48 million Americans are uninsured, no health insurance. That will change as a result of ObamaCare. But as of today, 48 million Americans are uninsured, 3 million more than in 2008.

So when people call the Presiding Officer's office in Delaware or my office in Vermont and they say: You know what: we are hurting, they are telling the truth. What they are saying is Congress seems to deal with everything except the reality facing the middle class and working families of this country.

People worry desperately not only for themselves, they worry more for their kids. What kind of education will their kids have? Will there be enough teachers in the classroom? Will their kids be able to afford to go to college or will young working families be able to find quality, affordable child care? What kind of job will their kids have when they get out of high school or they get out of college?

Those are the questions that tens of millions of Americans are asking all over this country. Here in Washington, we are not giving them clear and straightforward answers. What makes this moment in American history unique is that while the great American middle class is disappearing and while the number of Americans living in poverty is at an alltime high, something else is going on in this society; that is, that the people on top, the top 1 percent, have never, ever had it so good. Last week we learned an astounding fact I want everybody to hear clearly; that is, between 2009 and 2012, the last years we have information on, 95 percent of all new income created in this country went to the top 1 percent—95 percent of all of the new income created in America went to the top 1 percent.

The bottom 99 percent shared in 4 percent of the new income. So what we are seeing as a nation is the disappearance of the middle class, millions of families leaving the middle class and descending into poverty, struggling desperately to feed their families, to put gas in their car, to get to work, to survive on an \$8-an-hour wage.

You have that reality over here, and then you have another reality; that is, the people on top are doing better than at any time since before the Great Depression.

Today, the top 1 percent own 38 percent of the Nation's financial wealth. Meanwhile, the bottom 60 percent, the majority of the American people together, own only 2.3 percent of the wealth in this country. When I was in school we used to—and I am sure all over this country—study what we called an oligarchy. An oligarchy is a nation in which a handful of very wealthy people control the economy, control the politics of the nation. It does not matter about political parties because they own those parties as well.

Guess what. What we used to look at in Latin America and laugh about or worry about has now come home to

this country. In America today, we have the most unequal distribution of wealth and income of any major country on Earth. That gap between the very rich and everybody else is growing wider.

I do not believe the American people feel that is what this great country should be about; that the top 1 percent owns 38 percent of the wealth, while the bottom 60 percent owns barely 2 percent of the wealth. That is not the dream of what this great country is about.

Earlier this week Forbes magazine reported that the wealthiest 400 Americans in this country—400 people—are now worth a recordbreaking \$2 trillion—400 people worth \$2 trillion; in other words, the concentration of wealth is getting greater and greater and greater. The wealthiest 400 Americans now own more wealth than the bottom half of Americans, over 150 million Americans.

We could probably squeeze 400 people into this room. If we did and they were the wealthiest people in this country, 400 people in this room would own more wealth than the bottom 50 percent of the American people.

Just one family, one family in America, the Walton family, the owners of Walmart, are worth over \$100 billion and own more wealth than the bottom 40 percent of the American people. One family owns more wealth than the bottom 40 percent of Americans.

While the middle class disappears, while children in this country go hungry, while veterans sleep out on the streets, corporate profits are now at an alltime high, while wages, as a share of the economy, are at a record low.

Wall Street—the major financial institutions in this country whose greed and recklessness drove us into this economic downturn and the group of people the American middle class bailed out 5 years ago—is now doing phenomenally well. So Wall Street drives the country into a severe economic downturn. Wall Street is bailed out by the American middle class. Wall Street now is doing phenomenally well while the middle class is disappearing.

You want to know why the American people are angry and disgusted and frustrated? That is why. In fact, the CEOs on Wall Street, the executives there, are on track to make more money this year than they did in 2009. That is the time in which Wall Street greed destroyed our economy.

The American middle class is disappearing. Poverty is increasing. The gap between the rich and everyone else is growing wider and wider. That is the economic reality facing this country. The time is long overdue for this Congress and this President to start, in a very forceful, aggressive way, to address that issue.

But where are we today? Are we having a major debate on the floor of the Senate as to how we are going to rebuild our crumbling infrastructure and create millions of jobs? I do not hear

that debate. Are we having a debate on the floor of the Senate that says it is an outrage that working people throughout the country are trying to survive on a minimum wage of \$7.25 and we need to raise that substantially so that when people work 40 hours a week they can actually take care of themselves and their families and not go deeper into debt? Are we having that debate? I do not hear that.

Are we having a debate which says that not only should we not cut Social Security, Medicare, and Medicaid, but we should join the rest of the industrialized world and guarantee health care to all of our people as a right of citizenship? I do not hear that debate; quite the contrary, this is the debate I hear. This is what I am hearing from my colleagues over in the House and the Republican leadership over there. What I am hearing them say is that while poverty is at an alltime high, while our childcare system, early childhood education is a disaster, what they want to do is continue sequestration and push for more across-the-board spending cuts to Head Start, while elderly people throughout the country who are fragile and hurting are dependent on the Meals On Wheels Program, they want to continue cuts in that program.

They want to continue cuts in that program. While millions of families are wondering how they are going to send kids to college, they want to continue sequestration, making it harder for families to send their kids to college. They want to continue cuts to unemployment insurance and a number of other vital programs; in other words, instead of addressing the very serious problems facing the middle class and the working class of this country, what I am hearing from my Republican colleagues is let's make a bad situation even worse.

Let me conclude by saying, instead of cutting the Head Start Program, we should be expanding the Head Start Program. Study after study makes it clear that the most important years of a human being's life are 0 to 3. Giving those little kids the intellectual and emotional nourishment they need so they will do well in school is perhaps the most important work we can do.

We have to increase funding for Head Start, not cut funding for Head Start.

It is a moral outrage in this country that anybody here talks about cutting back on the Meals On Wheels Program, which provides at least one nutritious meal per day to fragile and vulnerable citizens. We should not be cutting back on that program; we should be significantly expanding that program.

I can tell you that in Vermont, if you talk to the people in my State, they will tell you we have significant problems with our bridges, significant problems with our roads, significant problems with rail, significant problems with wastewater and water plants. People want to invest in our crumbling infrastructure and make us a productive

nation. When we do that, we can create jobs.

Right now on the floor—I don't know if we are going to get to vote on it—there is a very modest bill brought forth by Senators SHAHEEN and PORTMAN which talks about energy efficiency. In Vermont and throughout this country, people are paying higher fuel bills than they should, wasting enormous amounts of energy, and contributing to global warming through greenhouse gas emissions because we are not aggressive on energy efficiency, making our homes more efficient. We should be investing in energy efficiency and creating jobs doing this.

The bottom line is we are in a pivotal moment in American history. The rich are getting richer, the middle class is disappearing, and poverty is at an alltime high. People are demanding that we create jobs and address the problems facing this country. Yet we have folks who want to make a bad situation worse by protecting the tax breaks that have been given to the wealthy and large corporations and then cut back on the needs of ordinary Americans.

I hope the American people will stand and say enough is enough and that they will demand that, finally, Congress stands with the middle class of this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. I rise to talk about the relentless assault on the poor and hungry in this country that is being waged right now in the House of Representatives and too often on the Senate floor.

The meltdown on Wall Street caused a recession in this country, as we know, that was worse than anything we have experienced since the Great Depression. Eight million people, eight million Americans lost their jobs. Trillions of dollars in the stock market were wiped out. With that money went the life savings of many middle-class families.

Many families lost their homes. Small businesses closed up shop. This was an economic disaster that hit communities across this country as hard as any natural disaster we have seen.

While Wall Street is doing well again these days, millions of families on Main Street are still waiting for their situation to improve. We are seeing new job creation, but millions of Americans are still out of work. In fact, when we look at the chart on employment rates, we see what happened in 2008 and 2009, the numbers of people who lost their jobs. While based on the population we are holding our own, we are just barely at this point keeping up with the population and beginning to grow again.

What the House Republicans are saying is get a good-paying job or your family will just have to go hungry. But there aren't enough good-paying jobs, as we all know. To add insult to injury,

they are slashing job-training money, which makes absolutely no sense, job-training money that States get to help Americans find work.

Economists point also to the irresponsible sequestration cuts as a cause for this sluggish job growth.

In the Senate we have passed a budget that will replace the sequester with a balanced solution to reduce the debt and balance the budget, but a handful of Senators on the other side of the aisle are blocking us from even being able to send negotiators to the House to finalize the budget. We are now stuck with a policy that makes absolutely no sense, that economists say is slowing down our economy and costing us jobs because of political games, pure and simple, in Washington.

This is having a very serious effect on the wallets of Americans who continue to find it difficult to put food on the table for their families. This is very real. It is not a political game for American families all across the country and certainly in my great State of Michigan. Even those people who are able to find work are working for less. In fact, wages as a percent of the economy are at 30-year lows.

When we look back, what has happened is not only is job growth not coming back as fast as it should, we are seeing people who have been in the middle class struggling by their fingertips trying to hold on or, most of the time, much of the time, losing ground because we are seeing wages going down, down, and down, even for the jobs that are available. This is a situation that millions of Americans find themselves in today. They are struggling to find work. When they do find work, the salary isn't even close to what it was before the recession.

Many people have taken pay cuts to keep their jobs or they have had their pay and benefits frozen for 4 or 5 years. Families who only 5 or 10 years ago were doing fine are now in dire straits.

Now the same Republicans who refuse to fix the sequester, who refuse to work with us to get the economy moving again for millions of middle-class families, again are trying to take temporary food assistance away from the children and families who are out of work or who are working one, two or three part-time jobs trying to make ends meet.

Let me stress as we debate the question of hunger and food assistance in America, we know that many families receiving SNAP, the Supplemental Nutrition Assistance Program, are working. They are working.

About half of those families receiving food help are working. They are people with children and whose wages are falling behind so they are no longer able to feed their families.

For those who have lost their jobs, SNAP is a short-term lifeline to keep food on the table while they search for work. We know the average new SNAP recipient only receives help for 10 months or less. Let me repeat that. A

person who is coming onto this program during this recession worked before they needed help. They are getting an average of 10 months' worth of help so their family doesn't starve while they are looking for work and trying to put the pieces back together. Then after that they are going back to work.

What we also know is men, women, families on supplemental nutrition assistance are using that money to feed their children. Nearly half of the people who are getting food assistance help in this country are children. We are looking now at nearly half being children, children who are going to bed hungry at night while their parents are doing the best they can to get back on their feet.

We see senior citizens who find themselves in a situation where their only income is Social Security. That little bit of food help makes a difference of whether they can go to the grocery store and put food in the cupboard or not.

The real faces of food assistance are veterans who went to war for this country, many of whom were injured and returned home only to find they couldn't get a job or their disabilities made it impossible to work. People with disabilities are the faces of food assistance. Instead of honoring these men and women for their service, House Republicans want to take away the little bit of help they get each month to buy food.

If we add all of this, 85 percent of the faces of food assistance, of SNAP, are children with their parents, people with disabilities, including our veterans, and senior citizens—85 percent. The bill being considered in the House of Representatives would kick millions of children and their families off food assistance.

This is how majority leader ERIC CANTOR and House Republicans will cut \$40 billion in food assistance. That is what they will be voting on, probably tomorrow. They do it by cutting off individuals and families who need the assistance the most.

Under the Republican plan, which ERIC CANTOR says encourages people to get back to work, benefits for a jobless adult without children would be limited to 3 months every 3 years. They better eat a lot during those 3 months.

That means if you lose your job and you are unemployed for 6 months, half of the time you will be able to have help in order to be able to put food on your table. Once you find a new job, you had better make sure your company doesn't close and doesn't go overseas within the next 2½ years or you will not be able to have any help to put food on the table as well.

It is important to note that the non-partisan Congressional Budget Office has said that 14 million people will stop receiving food assistance over the next 10 years the right way. As the economy improves, they will get back on their feet financially and be able to find a good-paying job. We built into our farm

bill reduced costs in SNAP because the economy is beginning to improve. But the House of Representatives, the House Republican majority leader's bill, eliminates families from food assistance the wrong way—by eliminating food help to those who most need it: 1.7 million poor, unemployed adults next year, whose average income is about \$2,500 a year—\$2,500 a year; those are the folks who would lose help with food—2.1 million low-income working families and seniors next year alone, 210,000 children who would receive cuts and would lose their school lunches under the House Republican plan, and other unemployed parents and their children—parents who want to work but can't find a job or a training program to join—will be eliminated from help.

The Republicans say it is about getting people back to work. But this bill cuts worker training and job placement for people who are trying to get back to work, who are mortified that, probably for the first time in their lives, they have needed help with food. They are people who have paid taxes their whole lives and who got caught up in this great recession and are trying to climb out but need a little help with one of the things I think we would all consider pretty basic—the ability to eat and provide food for their families.

People on SNAP want to work. They are like any American wanting to work, but there currently are not enough jobs, which is why we should be focusing on jobs and growing the economy. Right now we have three unemployed workers for every job opening. It is better. I can remember standing on the floor a few years ago saying the number was six unemployed workers for every job, and then five, and now it is three. But it is still three for every job opening.

Does the Republican plan do anything to help people find jobs or the job training skills they need to get a good-paying job so they can care for their families? No, absolutely not. In fact, the Republican plan would offer cash-strapped States a truly perverse incentive. I had to read this several times to see whether this was actually written down this way. They are allowing States to keep half of the Federal money that would be spent on food whenever they cut somebody off the program. So the incentive is to eliminate help for people so the State can keep half the money and use it for something else. That is in the House bill.

Let me be clear: We have seen occasions of fraud and abuse in the food assistance program, and that is why the Senate farm bill includes major reforms to crack down on misuse and to make sure only people who truly need help are getting help. We heard reports of people winning the lottery, two in my home State, but who are still getting SNAP benefits. That will not happen again under our bill. We have seen liquor stores accepting food stamps

when they do not sell much food. We have reformed that to make sure that cannot happen again, as well as a number of other areas where we can bring more accountability and tighten up the program.

We want every dollar to go to the people I am talking about today—who work hard all their lives, find themselves in a bad situation and are trying to climb out but they need a little bit of help because their children are hungry, because they are hungry. Maybe they are a veteran or maybe they are a senior or maybe they are somebody with a disability who needs a little bit of help. So we have passed real reforms to crack down on abuses we have found, and we did it in a bipartisan way in the Senate. I am very proud of that.

What House Republicans are voting on is nothing more than an extremely divisive, extremely partisan political exercise that is, by the way, going nowhere, and it is jeopardizing the passage of a 5-year farm bill. We have never seen this kind of partisanship injected into agricultural policy in our country before. It is shocking what has happened in the last 2 years in the House of Representatives. And shame on the majority floor leader and his allies for doing it now.

Our farmers, our ranchers, our small towns and rural communities and our children and families do not deserve this. The 16 million people who work in this country because of agriculture do not deserve this. What is happening this week in the House of Representatives is not about reality, it is about some fiction they have made up—an idea if the stock market is doing well, if wealthy Members of Congress and others are doing well, then surely everyone in America must be doing well too. And anyone who isn't must be lazy or not trying hard enough.

The reality is most people in America are still struggling to get back on their feet from the recession. There still aren't enough jobs for every person who needs and wants one. The jobs that are there pay less than they did 5 years ago, and families getting food help are making about \$500 a week. They do not have money in the stock market. They do not have investment income. In fact, the average SNAP family doesn't have more than \$300 in assets—things they own. What they do have, though, because of our policy of supporting those families, is \$4.53 a day to eat. That is right, \$4.53 a day to eat—less than the cost of one specialty coffee at our favorite stores.

But some Members of the House of Representatives have decided that is too much, that \$4.53 a day is too much for our disabled veterans, too much for our senior citizens living on Social Security, too much for our children, for families working multiple part-time jobs and trying to figure out how to get out of the hole that was created not by them but by others in the great recession.

We all want to spend less on food assistance, and the good news is, under

the Senate farm bill we all voted on, we do spend less. The baseline for food assistance is going down. Why? Because the economy is improving. There is \$11.5 billion in reduced spending built into our farm bill because people are finding jobs, and that is added to the \$4 billion in fraud and misuse we have included.

Again, the Congressional Budget Office projects that 14 million people will leave the supplemental nutrition program as the economy improves because they will no longer need temporary help. Costs are going down the right way, because the economy is beginning to improve. And as it improves more aggressively, which is what we should be working on together, we will see those costs go down.

I should also add that SNAP recipients are already going to see an arbitrary cut, unfortunately, to their benefits on November 1 because of the expiration of the Recovery Act help that temporarily boosted assistance to families in need, which we did in 2009. So they are already going to see less available for food.

If we want to continue to cut spending the right way, we should be working together to invest in our economy, to support our businesses, large and small, to outinnovate the global competition, to get rid of the sequester and to help people get the training they need to find good-paying jobs.

The Republican approach is like saying: You know, we are so tired of spending money on wildfires—forest fires—so we will cut the budget for the fire service. That isn't going to work. The fires will rage on and they will only get worse. If we want fewer fires we have to find ways to prevent fires and contain the fires in order to reduce the cost.

The Republican approach is also like saying: We are tired of paying for the cost of drought, flooding, and other crop disasters so we will cut crop insurance. The government's cost of crop insurance went up over \$5 billion—50 percent—last year because of droughts and flooding and so on. It went up 50 percent. And while we are seeing increases in crop insurance, it is projected that food assistance is actually going down \$11.5 billion over the next 10 years.

Are the House Republicans proposing we eliminate help for farmers in a disaster or just low-income families—children, seniors, disabled veterans—when they have a disaster?

What is happening in the House right now is a complete reversal of 50 years of great American values. Today, in the United States of America, one in six people say they do not know where their next meal will come from—one in six Americans in the greatest, the wealthiest country in the world. We have a long history in this country of making sure that poverty and hunger are kept in check. In fact, Presidents on both sides have understood this. President Ronald Reagan said:

As long as there is one person in this country who is hungry, that's one person too many.

That is one person too many. I wish our House Republicans could hear that and understand what he was saying. What would he have to say about this effort now in the House of Representatives to blame the victims of poverty and unemployment, to blame the children, to blame the seniors, to blame the veterans, who only want enough food to be able to eat and, for those who are able, to work and to get back on their feet and get a job?

The House Republicans who are proposing these drastic cuts all have enough to eat. We in the Senate are not living on \$4.53 a day for food. We have enough to eat. None of us wonder where our next meal is going to come from, like the one out of six Americans. None of us have to worry about whether our children will go to bed hungry tonight. None of us have to skip meals so our children don't have to.

We in America are better than the debate that is being waged in the House of Representatives. The good news for children, families, seniors, the disabled and veterans across America is that the House bill will never see the light of day in the Senate. It is time to stop the political games around hunger in America. It is time to work together and pass a 5-year farm and food bill, to grow the economy and reduce the need for food assistance the right way—by making sure every American has the ability to have a good-paying job so they can feed their families and achieve their part of the American dream.

Mr. President, I yield the floor.

Mrs. BOXER. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Just to make sure, because Senator ROBERTS—I had a question. He has gotten some time from Senator CRUZ; is that correct? Senator HEITKAMP wanted to make comments for a couple of minutes following Senator STABENOW.

So this is what I would ask: After Senator HEITKAMP is recognized, I would be recognized. If Senator CRUZ comes, I will stop at that time and yield the time to Senator CRUZ and then continue after he has finished. That would be a consent.

The PRESIDING OFFICER. Is there objection?

Mr. ROBERTS. Reserving the right to object, my remarks will only take 4 minutes to identify myself with Senator CRUZ's effort on Benghazi. I know Senator INHOFE would like to say a few words.

So perhaps I could start?

Mrs. BOXER. Well, if I could just say that I am happy to allow that to go forward, but there needs to be a definite time. How much time will all three Senators—my understanding was that Senator CRUZ—for how many minutes?

Mr. ROBERTS. I think it was 15 minutes.

Mrs. BOXER. So if the Senator is asking that he take Senator CRUZ's 15 minutes, I have no objection.

Mr. ROBERTS. I am not going to take all of the 15 minutes.

Mrs. BOXER. Well, if the Senator is asking that he take part of the Senator's 15 minutes and count against Senator CRUZ's time, I have no problem with that whatsoever. So I would revise that to say that Senator HEITKAMP would be going for 3 minutes, Senator ROBERTS would be going for 5 minutes, and then I would be recognized.

The PRESIDING OFFICER. Is there objection?

Mr. ROBERTS. Reserving the right to object, it is a 15-minute slot that we had intended, and I am sure the Senators will arrive.

Mrs. BOXER. When Senator CRUZ arrives to take the additional 15 minutes, that is fine. So in other words, the Senator takes 5 minutes, Senator CRUZ comes, and I would yield to him for the rest of the 15 minutes. He is not here.

Mr. ROBERTS. I withdraw any objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I will be very brief, recognizing the other urgent business the Senate needs to address, but I did want to associate myself with the remarks of the very able and capable chairwoman of the agriculture committee, Senator STABENOW.

We have a disaster in the making. It is called the farm bill. Months ago this body passed a comprehensive farm bill recognizing a 50-year compromise, a 50-year association of nutrition assistance with the ability to provide disaster assistance to our farmers in this country. For 50 years that effort has served us very well.

Today and this week in the House of Representatives, they will do something that is unprecedented in 50 years: They will segregate, pass separate bills, and do a disservice to struggling, unemployed, underemployed American families; that is, dramatically reduce the food stamp allocation.

Food stamps are there when people need them in the same way that farm disaster payments are there when farmers need them. Anyone who thinks someone is living high on the hog, so to speak, on food stamps needs to spend time with people who are trying to make it work and feed their families on \$1.40 per meal.

We know that with a recovering economy we are going to see a dwindling number of those folks move on. Yet we see this move almost in a way that is going to challenge this long-term relationship that has basically enabled a great partnership between many of our urban and rural legislators, Senators, and Members of the House of Representatives, but also something that speaks to a very important value we have, which is that kids

ought not to go hungry in this country. That is not who we are. We are not a country that allows children and families who are working, in many cases, to go hungry. And when they need that help, that temporary help they have been receiving, they ought to get it because it makes sense. It makes them better citizens, and it makes them better students. It tells us that, yes, when times are very tough—as they have been for so many American families—we will be there.

Let's not let this happen. Let's fight back. Let's continue to have this conversation, and let's pass a comprehensive farm bill that recognizes the need to feed people as well as provide disaster assistance for farmers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, Senator CRUZ is now on the floor, and he will be speaking right after me.

I thank Senator CRUZ for his efforts to keep the focus on the Benghazi terrorist attacks.

It seems to me to be a great shame that 1 year after the heinous attacks on our consulate in Benghazi and four Americans being murdered and—this is tremendously important—shaking the confidence of our men and women deployed in service to this Nation that the United States would never leave one of their own behind—I was told that when I joined the Marine Corps a long time ago—it is a great shame that we are still in the same place.

Justice has yet to be seen or done. The families of those killed at the consulate in Benghazi are waiting for answers about what happened that night, and they simply want to know that this President and this administration are working to seek justice for what actually happened. Yet it appears that what is happening is that the administration is doing everything but seek justice. Quite frankly, I think Americans—and I share their concern and frustration and anger—are sick and tired of hearing excuses, delays, and even silence. The President and his administration have stonewalled us on this case, in my personal view.

This should have been called a terrorist attack a long time ago. The Intelligence Committee should be handling this, but that is not the case. Today the FBI continues to seek tips from Libyans. The FBI has even posted an entire page on their Web site dedicated to finding suspects. There are photos of 29 suspects on that page. Twenty-nine. No arrests have been made. CNN and The New York Times have even had access to one of the chief suspects, Ahmed Abu Khattala, to interview him while he mocks the U.S. investigation. This is unbelievable.

The administration refuses to answer simple questions:

Who told the military to stand down?

Who is responsible for misleading the American public and the victims' families?

What actionable intelligence did our government have?

I know that there was actionable intelligence. People asked for that security. Why was it ignored? This is why we need a joint select committee.

At the very least, this deserves a vote. So I urge my colleagues, please drop your hold. Let us at least have a vote. If you want to defeat it, defeat it. But at least allow the Senator from Texas to have an opportunity to debate this bill.

I thank Senator CRUZ for introducing this legislation. I believe this should be a top priority for our government.

I yield back any remaining time I have to the distinguished Senator.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I thank my friend from Kansas for his leadership and for his reasonable call that we ascertain the truth on this very important matter.

As we do every year, last week as a nation we marked the somber anniversary of the terrorist attacks of September 11, 2001. For the first time this year we also remembered the victims of Benghazi: Foreign Service officer Sean Smith, former Navy SEALs Glen Doherty and Tyrone Woods, and Ambassador Christopher Stevens, who was our first Ambassador murdered while serving since Adolph Dubs in 1979.

The anniversary of the Benghazi attacks, however, should not simply be an act of remembrance; it should serve as a wake-up call. An entire year has gone by since these American heroes lost their lives in the service of our Nation, and we still have far too many unanswered questions:

Why was the State Department unwilling to provide the requested level of security in Benghazi?

Why were no military assets mobilized while the attacks were going on even if they might not arrive before the attacks were over?

If then-Secretary Panetta had “no question” in his mind that this was a coordinated terrorist attack while it was going on, why did Ambassador Rice, Secretary Clinton, and President Obama all tell the American people that the cause was a spontaneous demonstration about an Internet video in the days after September 11, 2012?

Why did the State Department edit the intelligence talking points to delete the references to “Islamic extremists” and “Al Qaeda”?

Why did the FBI not release pictures of militants taken the day of the attack and released them only 8 months after the fact? Why not immediately, as proved so effective in the Boston bombing last April?

What role, if any, did the State Department's own counterterrorism office play during the attack and in its immediate aftermath?

Why have none of the survivors testified to Congress?

Why do the Benghazi whistleblowers still fear retaliation and retribution?

To get the answers to these questions, we need to hear from the survivors of the attack to gain firsthand understanding of what happened that night. We need to ensure that the whistleblowers on Benghazi can tell their stories without fear of reprisal. We need the President to make good on his promise of September 12, 2012, “to bring justice to the killers who attacked our people.” That still has yet to happen.

Over the past year it has become evident that we need a joint select committee to get these answers because we have an administration that is actively trying to avoid learning more about Benghazi. We have a former Secretary of State who responds to congressional inquiries about why we were attacked in Benghazi with “what difference at this point does it make?” We have a current Secretary of State who responds to congressional inquiries about why the administration deliberately misidentified the nature of the attack by saying that he does not want to spend a whole year “coming up here talking about Benghazi” to Congress. We have a White House Press Secretary who responds to press inquiries about difficulties in interviewing the survivors by simply dismissing Benghazi as something that “happened a long time ago.” And we have a President who complains that “phony scandals” are distracting him from his domestic agenda, by which, his Press Secretary clarified the next day, he meant the IRS targeting and Benghazi.

In addition, we have seen in recent weeks an escalating pattern of obstruction by the administration into any investigation into Benghazi and a reluctance to take any action to retaliate against the attack or to prevent a future episode.

On August 14 there were press reports that the team of special operators who were in Libya to track down those responsible for the Benghazi attack were being pulled out despite repeated recommendations for action, some as recent as August 7.

On August 20 we learned that the only disciplinary action taken after Benghazi would be reversed as the four State Department employees who had been placed on administrative leave after the attacks were reinstated.

On August 23 the State Department said it was “not prepared” to allow the Benghazi survivors to testify to Congress—a denial that was reportedly reiterated by Secretary of State John Kerry on September 10.

On September 11 we learned from the State Department’s own internal review that the Department is “lagging behind” in implementing the new security measures recommended after the Benghazi attack, with, for example, only 100 of the recommended 1,000 marines being deployed for potential hotspots.

On September 15 we learned of serious allegations in a draft House Committee on Oversight and Government

Reform report that the Accountability Review Board report requested by Secretary Clinton whitewashed the responsibility of senior State Department officials for the decisions that resulted in the lack of proper security at the Benghazi facilities.

Just today at a House Foreign Affairs Committee hearing, Under Secretary of State for Management Patrick Kennedy admitted that the FBI investigation in Benghazi has ground to an indefinite halt because of the security situation in Libya. Mr. Kennedy also asserted in this hearing that the reassignment of four State Department employees represented “serious accountability” for the four Americans who died in Benghazi.

This state of affairs is, in a word, unacceptable. Truth is not partisan, and every Member of this body should want to ascertain what happened. Given the yearlong collective failure of our government either to gain clarity on what happened in Benghazi on September 11 or to extract any retribution for the terrorist attacks, Congress should now form a joint select committee to launch a proper investigation.

The attacks on our diplomatic facilities in Benghazi are part of a larger threat we have faced for the last 12 years from radical Islamic terrorists. We cannot let this anniversary pass with just “a thought, a hope, a prayer or a wish” as Secretary Kerry recommended in an all-staff e-mail to the State Department regarding the Benghazi attack. We need a chief counsel who can systematically ascertain the truth and can follow the actual facts of what happened that night to their full and logical conclusion, wherever that may lie, so that we can honor these American heroes and we can ensure that we are doing everything we can to prevent this sort of attack from ever happening again. If we refuse to seek the answers to these questions, then we are inviting future tragedies.

We have four dead Americans. It has been a full year. My cosponsors on this resolution and I have had enough without answers and without the truth.

UNANIMOUS CONSENT REQUEST—S. RES. 225

I therefore ask unanimous consent that the Rules Committee be discharged from further consideration of S. Res. 225, that the Senate proceed to its consideration, that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be made and laid on the table, with no intervening action or debate.

THE PRESIDING OFFICER. Is there objection?

Mrs. BOXER. I object and I would like to explain why, if that would be appropriate for the next 2 minutes—if I could?

THE PRESIDING OFFICER. Objection is heard. The Senator may proceed.

Mrs. BOXER. Mr. President, I am proud to be a longtime member of the Foreign Relations Committee for many years. When this Benghazi tragedy oc-

curred, the Foreign Relations Committee held hours of hearings. I sat through those hearings.

I want to say to my friends, I share their dismay that we have not caught the perpetrators. But I want to remind them that the President who caught Osama bin Laden—who killed so many of our people—was President Obama, and when he says he is going to do something he will not rest until he does it.

Secretary Clinton immediately called for an Accountability Review Board. That Accountability Review Board was not partisan. What my colleague wants to do is set up some kind of committee filled with politicians—of which I happen to be proud that I am one—but I put more faith, frankly, in the professionalism and the non-partisanship of the Accountability Review Board.

Who headed that Accountability Review Board? Ambassador Thomas Pickering, who was first picked for public service by George H.W. Bush; and Admiral Michael Mullen, former head of the Joint Chiefs of Staff.

There are many other reasons why I oppose this. Secretary Kerry has addressed this and continues to address it. We had two classified briefings. The Select Committee on Intelligence is preparing to release a bipartisan report on the events that occurred in Benghazi and, last December, the Senate Homeland Security Committee released a bipartisan report on the security deficiencies, and the good news is: Of course as a result of this tragedy, changes have been made all over the world.

I sense there is politics here. I sense there is politics here. I do not think it is right to inject politics into such a tragedy. Therefore, I object.

THE PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I can’t disagree there is politics here. This is the Senate. But let me say one thing. I strongly support this amendment. Let me ask in the order of things right now, does the Senator from Texas still have the floor?

THE PRESIDING OFFICER. The Senator from Oklahoma has the floor.

Mr. INHOFE. Very good. I appreciate that.

One thing, as I read this resolution that my good friend Senator CRUZ has, I thought it really does not go far enough. I think all that people are talking about now is how can we preclude this from happening again, what happened and all that. To me that is not even the issue. The issue is the coverup.

I sat there as the ranking member on the Senate Armed Services Committee. I watched the day that this happened, 9/11, then of course the annex came after that, 9/12, the next day. When that happened there was never any doubt but that it was an organized terrorist attack—never any doubt.

I happened to know Chris Stevens. He happened to be in my office right before he was deployed there. He was telling me in my office how dangerous it was over there. He said, you know, there are threats, there are terrorist threats. Al Qaeda has a presence over there and we do not have a lot of security, and he started requesting security. This is a long time before this happened. I have all the dates. I did not bring them down with me because it would be redundant. It has been in the RECORD so many times, that he knew this was happening. We knew there was this kind of activity in that part of the world and he wanted to do something about it, offer more security.

He is dead now, and he knew what he was getting into at that time. When the threats came for what happened on 9/11, people were aware of that. Remember the Brits, they left and several others just up and left because they knew what kind of threat was out there.

Anyway, what we did right after 9/11—and it is just a matter of hours after that they attacked the annex. They cannot say for certain that the original attack was organized. I think it was; it was an organized terrorist attack. But they can say with certainty, and I will not use my words, I will use their words, it was “unequivocal,” unequivocal that we knew at that time it was an organized terrorist attack.

I remember when Secretary Panetta came forward and he used the same word “unequivocal.” Then the CIA Chief Brennan, at that time—that was his job—said, sitting in my office and then again before a hearing, it was unequivocal that we knew it was an organized terrorist, Al Qaeda-related attack. We knew it.

The coverup is this. I have studied coverups for a long time. Iran-Contra, I went all the way through that. I remember that well. The Pentagon Papers, Watergate, all of these things were coverups. But this one, where 5 days after all of our people and the top security people knew it was an organized attack, to send Ambassador Rice to the talk shows to say, for purely political reasons and cover up the reality of it, that this was due to some video—I will only say this. I would like to pursue this in terms of the coverup, which is not covered in the resolution we are discussing right now. I think it should be—it should have been. I was not part of drafting it. I strongly support it. I know where we are coming from, and I think we need to get to the bottom of it. All the questions need to be answered. But the big issue that needs to be discussed, that nobody likes to talk about, is the coverup.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I appreciate my colleague from the Foreign Relations Committee having already objected, but I wish to make a few remarks because there are those—

regardless of what is reviewed, regardless of who comes forth, regardless of all the information—who want to keep this alive for what are ultimately election purposes. I know the next Presidential election is a few years away, but it seems it is very alive in the Senate.

Look, I am always for getting to the truth, particularly when the lives of American diplomats have been lost. That is an honorable pursuit. But by the same token, from my perspective—and let me say why I am going to have this perspective. My perspective is we have two of the most outstanding individuals in Ambassador Pickering and Admiral Mullen. Certainly, no one questions their integrity. At least I have not heard their integrity questioned on the Senate floor. They conducted the Accountability Review Board. In the process, they yielded 29 recommendations that are, in fact, being implemented, that our committee has continued to pursue oversight in the Senate Foreign Relations Committee. We have held two hearings. We have had multiple level—high-level briefings, including intelligence briefings, bringing all the respective parties who are responsible together.

In fact, we had the former Secretary of State before the committee at a hearing I chaired at the time who addressed all of these issues. We had before that, former Chairman Kerry, now Secretary Kerry. He held a hearing of the committee on the events that transpired with Deputy Secretary Burns and Deputy Under Secretary Nyes. We had two classified briefings on December 13 and 19, specifically on the circumstances surrounding the attack.

In those classified briefings, we had the key individuals who could get us to the truth. I understand the Select Committee on Intelligence is presenting a bipartisan report on the events that occurred in Benghazi. Last December, the Senate Homeland Security and Governmental Affairs chairman at the time, Senator Lieberman, and Ranking Member COLLINS released a bipartisan report on the security deficiencies at the temporary U.S. mission in Benghazi that led to the deaths of those four Americans, including our Ambassador Chris Stevens. The House has conducted its own hearings and investigations. Yet we have those who want to continue to pursue this, despite all of these different efforts, independent of the Senate, between the House, the Accountability Review Board.

There is a lot of culpability, and maybe there is coverup in a different sense. The coverup is a Congress that doesn't want to put the money where it is necessary, to ultimately take the high-risk, high-threat posts of this country and ultimately protect them. It is nice to talk about who is responsible. Let's talk about who is also responsible in terms of obligations. We have over 30 high-risk, high-threat posts in the world right now—right

now as we speak on the Senate floor—that are at risk and that do not meet the present security standards. Yet Congress seems to move ever so slowly toward getting to the resources that would accelerate the pace on which we create the physical and other protections for those high-threat, high-risk posts.

Those, of course, are the 30 that exist today. We know from history that in fact what exists today as a high-risk, high-threat post, tomorrow there could be another one on the list. So we have diplomats who are at institutions that do not meet the present standards. Yet at the pace we are going, based upon the appropriations of this Senate, we would find ourselves a decade from now dealing with just those 30 posts. I would like to see the Members who do not seem to be willing to vote for the security of diplomats abroad, before the next attack comes—and inevitability, unfortunately, in the world in which we live that is very possible—put their resources to work to accelerate the pace to where we would succeed in preventing injuries or death.

Let's be honest about this process. Yes, there was a process that ultimately led to a series of recommendations. The legislation that the committee has ultimately reported out in a bipartisan basis—working with Senator CORKER, the ranking Republican on the committee—would deal with these challenges. It would deal with language issues. It would deal with the funding issue. It would deal with diplomatic security preparation, which we have scattered across a whole bunch of institutions that do not meet the goal. It would deal with all of these elements. It would create greater accountability.

Do you know what else it would do? It would let the Secretary of State have the ability to ultimately fire those individuals who might be found derelict in their duty, which is not presently in the law—the ability for the Secretary to pursue that.

So let's move that legislation. I hope my colleagues are going to support that as we move forward, to try to find the success that we want in making sure that our diplomats across the globe are as safe as humanly possible as they advocate America's national economic interests, its national interests, its national security interests, still always facing a risk but minimizing those risks to the greatest extent. If not, then I certainly believe the garish light of attention should be placed upon the institution of the Congress, which is not meeting its responsibility as it relates to our diplomats abroad.

With that, I yield the floor.

The PRESIDING OFFICER. (Mr. HEINRICH). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent to be acknowledged as if in morning business.

The PRESIDING OFFICER. Is there objection?

Mrs. BOXER. Objection.

The PRESIDING OFFICER. Objection is heard.

Mrs. BOXER. Mr. President, we have had a carefully constructed list of who would speak. I wonder how long the Senator wishes to speak.

Mr. INHOFE. I do want to accommodate the Senator from California. I have three different subjects I want to talk about—

Mrs. BOXER. How much time does my friend need to talk about his first subject?

Mr. INHOFE. I need 9½ minutes.

Mrs. BOXER. What was supposed to happen was that I was going to speak next. I will give up my place so Senator MURRAY can speak, followed by Senator COONS, followed by Senator INHOFE for 9½ minutes.

I don't know how many minutes my friend needs—5 minutes.

Mrs. MURRAY. Mr. President, I will need about 12 minutes.

Mrs. BOXER. I would follow Senator INHOFE's 9½ minutes.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. Is that a unanimous consent request?

Mrs. BOXER. Yes.

Mr. INHOFE. The Senator from California would follow the Senator from Washington?

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, the consent I made was that we would go to Senator MURRAY for 12 minutes, followed by Senator COONS for 5 minutes, Senator INHOFE would be next for 9½ minutes, and then I would get to go for about 10 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. Mr. President, point of inquiry: Is this after I speak now or is that starting now? In other words, we would have four Democrats before I speak?

Mrs. BOXER. No, two.

Mr. INHOFE. The Senator already had one and then Senator COONS.

Mrs. BOXER. The Republicans had quite a few on their side speak. The Republicans had three speakers—one right after the other—so now we are going to have three speakers, and then it goes back to Senator INHOFE.

Mr. INHOFE. Mr. President, reserving the right to object, if two of them speak now and then let me speak and then the Senator can speak after that, that is still 2 to 1.

Mrs. BOXER. Mr. President, that is what I said. I said Senator MURRAY, Senator COONS, Senator INHOFE, and then Senator BOXER. That is what I said. Is that all right?

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I thank my colleague from California for accommodating all of us.

I wish to join my colleagues who have spoken on the floor and express

my deepest condolences to the families of those who lost someone in Monday's tragic shooting. I know the thoughts and prayers of the Nation are with those who are still recovering.

I know I speak for my constituents in Washington State in thanking the law enforcement community here in Washington, DC. They put their lives on the line every day to protect our families and workers in the Nation's capital. We don't have all the answers to the many questions a tragedy such as this raises, but those questions will continue to be asked, and I am hopeful the answers will help our Nation heal and guide our continued work to prevent these kinds of tragedies in the future.

I am here today because, like many of my colleagues, I spent this past August traveling around my home State and meeting with my constituents. I heard from Washington State families about a wide range of issues facing our Nation, but the one sentiment I heard over and over from every part of my State was they were sick and tired of the constant lurching from crisis to crisis.

They told me how disappointed and disgusted they were that every time they turned on their televisions over the past few years they would see another story about Congress hurtling toward another official deadline, hurting our economy and causing more uncertainty for our businesses. They told me they want Congress to work together; they want us to focus on the economy; they want us to put our country and the families we represent before partisanship and political gains.

I couldn't agree more. Like them, I am frustrated that we seem to be once again headed toward another completely avoidable, completely unnecessary, self-inflicted crisis.

It has now been 179 days since this Senate and the House passed our budgets. When the Senate budget passed, I was optimistic that because both Republicans and Democrats said they wanted to return to regular order, we might be able to get back to a responsible process. At that time we had 192 days to reach a bipartisan budget agreement and I thought the next step would be a budget conference where the two sides would get in a room, hash out our differences, and work together toward a deal. But as we all know, some of our Republican colleagues had other ideas. They immediately seemed to regret their push for a Senate budget and started running away from a debate as quickly as they could.

I came to the Senate floor with my colleagues a total of 18 times to ask for consent to start a budget conference with the House, but every time we tried a member of the tea party here in the Senate, backed by Republican leaders, stood up and blocked us. Instead of using the months we had to work out a compromise, Republicans seemed to think it was in their best interest somehow to stall as long as possible under some misguided theory that a crisis would give them more leverage.

I had hoped my Republican colleagues spent their time back home talking to their constituents and would be ready to come back to DC so we could get to work on a balanced and bipartisan budget deal, but, sadly, the opposite has happened. While I believe the majority of Republicans are interested in working with us as Democrats to get to a fair budget deal, a few of my Republican colleagues spent the summer riling up the tea party and making them promises they could not keep.

Since Republican leaders know they need to find a way to avoid another crisis that would be blamed on them, a full-scale civil war has broken out within the Republican Party. They are in disarray. They are having trouble figuring out how to pull themselves out of the hole they have climbed into. And while we wait for Republicans to join us at the table, the tea party is pushing our country closer and closer to a government shutdown and closer to what would be a catastrophic default on our laws.

Why are they doing this? It is not because they are concerned about the budget, not because they are interested in jobs or economic growth. To them it seems it is all about ObamaCare. Everything they are doing now they are doing in order to cut off health care coverage for 25 million people, to end access to free preventive health care, to cause seniors to pay more for their prescriptions, to cut off young adults from their coverage, to bring back lifetime coverage caps and let patients with preexisting conditions be denied care, put the insurance companies back in charge of our health care system, and so much more.

These political games might play well with the tea party base, but here is the reality: ObamaCare is the law of the land. It passed through this Senate with a supermajority. It passed through the House. The President signed it into law. This Supreme Court upheld it. It is already helping millions of Americans stay healthy and financially secure, and it is on track to help millions more.

When I see some of my colleagues working so hard to defund ObamaCare, I have to wonder whether they have taken the time to meet some of their own constituents who are already benefiting from this law.

This last month I was home in Washington State, and I met an incredible woman named Nikki Mackey who lives in Seattle. On September 16 of 2010, Nikki was diagnosed with an extremely aggressive form of breast cancer. She was 36 years old and terrified of what this disease would do to her. To make matters worse, instead of focusing on her treatment, she had to worry about her coverage, and that is because a few months before her diagnosis, in the midst of the recession, Nikki had been laid off from her job. So there she was, with her coverage at risk and years of treatment ahead of her. But thanks to ObamaCare, a law some of my colleagues want to undermine at any cost,

Nikki will never have to worry about reaching a lifetime cap. She will never have to worry about not getting coverage due to her now preexisting condition. That is why we have worked so hard to pass this law because it says now in America: You shouldn't go broke because you get sick, and you shouldn't be denied care simply because you cannot afford it.

Let's be clear about what is happening here and the political calculation some of my colleagues have made. They have decided they are willing to play politics with Americans' health care, they have decided it is better for them to sabotage this law rather than improve it, and they have decided that beyond all that, they are also willing to devastate our Nation's economy to kill this law. Well, we are not going to let that happen.

Nikki told me when she turns on her TV and sees Members of Congress using every trick in the book to kill this law, she feels her "own well-being is under attack."

I want to be clear: Democrats are not going to defund or delay health care reform. It is not going to happen. We should all be working together right now to make sure it is implemented in the best possible way for our families, our businesses, and our communities. We are certainly very interested in hearing from anyone, Democrat or Republican, who has good ideas about how the law could be improved. We are not going to allow the health care of Nikki or millions of other Americans to be used as a pawn in a political game. We are not going to let this law get sabotaged as it continues to benefit millions of families and small business owners. The sooner Republicans realize this, the sooner we can get to work diffusing this latest artificial crisis.

We know the families we represent don't support the Republicans' sabotage tactics. Recent polls show that fewer than 1 in 4 people supports efforts to make health care reform fail. A majority of people believe we in Congress should be trying to make the law work. It is also clear that Americans would rightly blame Republicans if the law shuts down—especially over an issue such as this—and a lot of Republicans know that.

My colleague Senator JOHANNIS said these defunding and delaying efforts have "zero chance of being successful." Senator BURR said "the dumbest idea I've ever heard of." House Republicans know this too. That is why they introduced a bill last week that would allow a government funding bill to pass while giving House Republicans a vote to defund health care that has no chance of becoming law. As we now know, the tea party is not interested in that. They don't want a showboat, they want a shutdown, and they are going to keep fighting until they get it.

We now have less than 2 weeks before the end of this fiscal year and a potential government shutdown. It is a shame that we have gotten to this

point, but we are here. We owe it to the American people to come together and find a solution and a path forward that is good for our economy and fair for our middle class.

My goal has been and will continue to be a long-term budget agreement that replaces sequestration, tackles our debt and deficit responsibly, and invests in our workers and our economy. But since it seems clear that the House won't be able to get its act together in the next few weeks, the least they should be able to do is send us a clean, short-term extension of the current budget levels so the government doesn't shut down while we continue to negotiate on this longer term budget deal.

I want to be clear: Democrats are not going to negotiate over whether Congress should allow the Federal Government to pay its bills. As Speaker BOEHNER said in the past, default would be "a financial disaster, not just for us, but for the worldwide economy." Republicans need to take those words to heart and stop threatening the economic recovery with their saber rattling and brinkmanship.

We went through this earlier in the year. Back then—after spending months saying they wouldn't raise the debt limit unless they got dollar-for-dollar spending cuts, Republicans dropped their demands, dropped the so-called Boehner rule, and allowed the debt ceiling to be increased. Going back now to that reckless approach of 2011 and drumming up this uncertainty again is nothing but a huge and harmful waste of time.

It is ridiculous that we find ourselves on the brink of an artificial crisis again. We should be doing everything possible to support the economic recovery and help our workers get back on the job. We should be spending time finding common ground to tackle our long-term fiscal challenges responsibly, and we should be working together to build on the Affordable Care Act to continue improving our health care system for all of our families and small business owners. As we know, we are now mired in the muck of perpetual partisanship and constant crises. The American people deserve better. Nikki and the millions of families such as hers deserve better.

I am hopeful that the Republican leadership stops focusing so much on their extreme party minority and comes to the table with us to work on a balanced and bipartisan deal the vast majority of Americans want. I hope they don't make us reach a crisis to get to that point.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Delaware.

MR. COONS. Mr. President, I wish to associate myself with the remarks of the Budget Committee chair. As a member of the Budget Committee, I join her in expressing her strong view that this country does not need another shutdown or another pointless

fiscal cliff but needs us to listen and to work together in this Chamber and with the House of Representatives and move forward on the agenda on which all of our constituents want us to proceed.

I rise today specifically to speak to the bill that is on the floor that has been the subject of debate and discussion, S. 1392, the Energy Savings and Industrial Competitiveness Act of 2013.

This is a broadly bipartisan bill. Its two primary authors, my colleagues from New Hampshire and Ohio, Senators Shaheen and Portman, have worked tirelessly to make sure it respects the priorities of Members of both parties. Its passage by a vote of 19 to 3 out of the energy committee on which I serve speaks to its support across partisan lines. Yet, sadly, now that it is on the floor, a few Republicans have decided they want to use it to carry out their own narrow or partisan political agenda rather than showing our constituents and the American people that we can come together across our differences of region and party to pass this commonsense, bipartisan legislation. They would rather confirm the frustration and even disgust so many of our constituents feel about this body.

We were all home last month. We all heard from our constituents. I don't know about my colleagues but what I heard from Delawareans about what they want and deserve is not more displays of selfish partisanship that frustrates them but, rather, that we can listen to each other and work together on bipartisan bills that move this country forward.

Energy efficiency—the topic of this bill and the topic we should be moving forward on today—its only agenda is creating a stable, dynamic, and prosperous future. The Shaheen-Portman bill has been written with only that goal as its north star. It is not about who is right or who is wrong, about whether climate change is real, about whose science we are going to choose to believe today; energy efficiency is fundamentally something that makes sense. It allows us to bridge competing interests and concerns because it promotes energy independence, it helps our environment, and it promotes American jobs—jobs today and jobs tomorrow.

When we need to purchase new equipment to promote the efficiency of our buildings, whether it is DuPont's Tyvek wrapping or Dow's foam spray insulation—both made here in America—we create good manufacturing jobs in our country. When we install new energy-efficient equipment in homes and buildings, we hire Americans to do that work—sheet metal workers, electricians, laborers. And when we set voluntary new goals for efficiency, as this bill does, we incentivize the kind of research and innovation that will create jobs well into the future. It is simple. There is no reason we shouldn't be able to get this done.

I come to this debate today as someone who has seen the power of energy efficiency up close in the private sector and public sector in my work in Delaware. When I was in the private sector more than 15 years ago, I came to understand that power when our then-Governor Ruth Ann Minner appointed me to chair the Conservation and Efficiency Working Group of her Energy Task Force. In over 2 years of meetings I grew to appreciate how powerful energy efficiency can be for the commercial and industrial balance sheet of our country. It later translated into my work as county executive of New Castle County, DE, where I led a county-wide effort to make our buildings more energy efficient. We had old and energy wasteful buildings and we knew that by investing in energy efficiency upgrades, we could save taxpayer money and put Delawareans to work.

We started with our old City/County Headquarters, a building constructed in the 1970s, almost designed to be monumentally energy inefficient. As we audited it, the auditor was stunned at how energy inefficient it was—high ceilings, bad insulation, poorly sealed windows—so we overhauled. We upgraded the lights and put in new management energy systems, replaced the boilers and chillers and cooling towers and got that building up to ENERGY STAR standards. We did a host of other things on a constrained budget and it was a resounding and lasting success. With the improvements just to that one small building, the county saved \$350,000 a year, and it will pay for itself over 15 years. Because of that success, the county has gone on to do retrofits to 20 more buildings in total, providing work for more than 150 Delawareans and reducing emissions by 12 million pounds of carbon dioxide per year, the equivalent of taking 1,000 cars off the road. Those jobs can't be offshored. These are jobs for electricians, laborers, and sheet metal workers. These are good-quality building trades jobs. They are also sustainable because as each contractor learns how to do an energy efficiency retrofit in one building, they can go on and do it for more.

What I found is that once folks understood the impact, once they saw the difference we could make in that county, it became an issue that transcended partisanship or political loyalties. That should be the case here, if we had a healthy and functioning Senate, because this issue is no more partisan across the United States than it was in our county. It saved us money, it helped our environment, it put Delawareans to work, and the same is true for the Shaheen-Portman bill that should be moving forward today.

Earlier this year I had the chance to visit Dover Air Force Base, our largest military facility in Delaware, and see what the U.S. military is doing to use less energy and employ alternative energy solutions. They are making dramatic progress, looking across every corner of that base to reduce their en-

ergy use and to be more efficient in how they transport materiel in the U.S. Air Force.

These are real ideas and technology-based solutions that could be applied nationally. There are companies up and down our State in the private sector which have applied the same approach, the same initiative this bill would take and seen real savings. Businesses such as Hirsh Industries, PPG, Kraft, and AstraZeneca all have realized savings of hundreds of thousands of dollars that add to their balance sheet and their bottom line.

This bill has been scored as creating 136,000 new jobs by 2025, saving consumers \$13 billion and nearly 3 billion megawatt hours by 2030. In total, this is exactly the sort of bill we should be coming together to pass. Instead, sadly, what I am hearing is that it is likely the partisanship of this Chamber is going to defeat our opportunity to take up and consider this important balanced and bipartisan bill.

Americans are looking to us to take action to create jobs, save them money, and build a better future for our country. This bill genuinely gives us a chance to do all of those things. I am a proud cosponsor of this bill. I had hoped to have a chance to debate, discuss, and vote on many amendments directly relevant to this bill that deal with energy efficiency and would strengthen it. Instead it seems we are again mired in partisanship as folks here seek to add to this bill amendments utterly irrelevant to the core of what should be the focus today: helping to create high-quality jobs for Americans, improving our environment, and adding to our Nation's bottom line on this commonsense matter.

It is my hope we can get past the partisanship and back to the real work our constituents expect and demand of us in the weeks ahead.

With that, I yield the floor.

THE PRESIDING OFFICER. The Senator from Oklahoma.

MR. INHOFE. Mr. President, when we were establishing our time, I would say to my good friend and colleague from California, I was joking around a little bit about using 9½ minutes. Is it all right if I make that 19½ minutes, maximum?

MRS. BOXER. No. I say to my friend, I was promised to be able to speak at 3:30 so I am already giving up so much time, so if the Senator from Oklahoma could just take 9½ minutes.

MR. INHOFE. OK. I will do that. I ask unanimous consent that at the conclusion of the remarks of the Senator from California I be recognized for 15 minutes.

MRS. BOXER. All right. I ask unanimous consent to be recognized for 15 minutes.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MR. INHOFE. Mr. President, first of all, I wasn't going to do this, but since my good friend from California is on

the floor and it is our favorite subject to talk about, I thought I would. I wish to take the opportunity to talk about the first round of the major global warming regulations the President is set to release this week. These rules will govern the amount of carbon dioxide that can be emitted from powerplants and they are the first round of rules following the President's major speech on global warming in June.

The rules represent the most aggressive representation of the war on fossil fuels we have seen in this administration, and we have seen a lot of them. We know the rules will require any coal-fired plant to have carbon-capture and sequestration technology; that is, CSS technology. While the Clean Air Act only allows feasible technology to be mandated, the CSS technology is not feasible. It is really not there yet. No powerplant has ever been built with the technology unless it has been supported by massive taxpayer subsidies. The rule would kill the coal powerplant industry.

While the rules may be constructed in a way that allows natural gas-fired powerplants to meet the mandate, we have to know that is coming next. After all, natural gas is a fossil fuel as well. There have been several statements of people saying, Well, wait around until fossil fuel, which is going to be next. The only thing these new rules will do is cause energy prices to skyrocket. I expect the rules to be one of the key issues covered by the media this week.

While the exact details of the rule will not be known until it is published later this week, there are a few things that we know right now. First, the science behind global warming is now more uncertain than ever. I spoke about this this morning in our hearing. Just last week it was reported all over the media—the Telegraph—this is in London, one of their largest publications—the Guardian, also in London, the Wall Street Journal, and others, that this year there has been 60 percent more ice coverage in the Arctic than there was this time last year.

My colleagues might remember the hysterical people were saying at one time that there would be no more icecaps by 2013. Instead, we find out it has actually increased by 60 percent. This is the equivalent of almost 1 million square miles, and this is being observed before the winter refreeze has even set in.

What makes it more interesting is that in 2007, the BBC reported that global warming would leave the entire Arctic ice-free in the summers by 2013. The scientist who made this claim, Professor Wineslaw Maslowski, said, in the typical bravado we have come to expect from climate scientists, that "This is not a cycle; not just a fluctuation. In the end, it will all just melt away quite suddenly." That is in 2013. Well, here we are in 2013 and guess what. They are wrong again. There is 60 percent more ice than there was at

this time last year. A lot of the yachts and the ships that expected to use the Northwest Passage can't use the Northwest Passage; it is closed, closed because the ice is there.

This follows reports earlier this year, notably from *The Economist*, showing that global warming has been on a pause for the last 15 years. *The Economist* wrote: "Over the past 15 years, air temperatures and the Earth's surface have been flat while greenhouse-gas emissions have continued to soar."

The U.N.'s Intergovernmental Panel on Climate Change did not expect this development to occur, nor did its models predict that there would be a 15-year stall in global warming.

Professor Anastasios Tsonis, at the University of Wisconsin, recently concluded that:

We are already in a cooling trend, which I think will continue for the next fifteen years at least. There is no doubt the warming of the 1980s and 1990s has stopped.

This reminds me of all the hysteria in the 1970s that a global warming trend is coming. I can't tell my colleagues how many times on the Senate floor I have talked about how these cycles come and go about every 25 years, and here it is, right on schedule, going into a cooling period. Starting back in 1895, every 15 to 20 years, they start out with the new Ice Age is coming, everyone is hysterical, and then in 2007—1970—1919, they went into a period of warming, and then in 1995—or 1945—they went into another cooling spell and that happened to coincide with the year they had the greatest surge in CO₂ on our planet.

I only want to say this finally has come to our attention that we are looking at a situation that is quite different than we have seen in the past. I mentioned that later in this month the long-awaited event is going to happen. It comes up every 5, 6, or 7 years. That is when the IPCC comes out with its assessment. This just came up—I saw that it is dated today in the *Wall Street Journal*, and I will read this:

Later this month, a long-awaited event that last happened in 2007 will recur. Like a returning comet, it will be taken to portend ominous happenings. I refer to the Intergovernmental Panel on Climate Change's fifth assessment report.

That is what we are talking about. They go on to say they have learned from some leaks what is in that assessment. "There have already been leaks"—I am reading now—"from this 31-page document which summarizes 1,914 pages of scientific discussion, but thanks to a senior climate scientist, I have had a glimpse of the key prediction at the heart of the document."

Keep in mind, this is IPCC, United Nations. The big news is that for the first time since these reports started coming out in 1990, the new one dials back the alarm. It states that the temperature rise we can expect as a result of manmade emissions from carbon dioxide is lower than the IPCC expected.

This is something we did not anticipate would happen just as recently as a few days ago.

Real quickly, it is my hope we get to some of these amendments, and I am going to mention one that is a very significant amendment.

A few months ago, when we were debating the continuing resolution, the Senate adopted amendment No. 29, which prohibited the EPA from enforcing this Spill Prevention, Containment, and Countermeasure Rule. That is the SPCC rule.

As we all remember, they were going to enforce this against farmers. The reason we did this is clear: EPA first threatened to enforce this rule against farmers at the beginning of the Obama administration, but they did very little outreach. Most farmers do not even know today about this rule or what they would have to do to comply. The only reason other Members know about this rule is because of the work Senator PRYOR and I have done to highlight the problem for what it is.

This rule was originally drafted for compliance by major handlers of oil—refineries, pipelines—players such as the ones that are shown on this chart I have in the Chamber.

This chart actually shows part of Cushing, OK, which is a major hub of oil pipelines. Millions of barrels of oil are transported through and stored in this small town each day, and it is incredibly important that the handlers of the oil follow appropriate regulations to make sure accidents do not cause significant environmental damage. They understand why the regulations are in place, and they follow the rules with precision. And we are talking about the people in the adjoining towns.

These refineries and tank operators are who the rule was designed for in the first place, and that makes sense. But now EPA wants to enforce that rule against farmers.

What would it look like if we did this?

First, take a look at this second chart. This is a diesel fuel container on a farm. It is small. It does not hold that much fuel. But right now it is subject to the same regulations you would have for oil companies and refineries.

I asked a friend of mine, Keith Kisling, a wheat farmer in western Oklahoma, what it would take for him to comply with this rule that was designed for refiners.

He said: First I have to purchase a new double-wall container that would cost thousands of dollars. EPA justifies this by saying it would prevent leaks. Keith, like all other farmers I know in Oklahoma, thinks diesel is expensive. So Keith is not going to let his tanks leak, whatever kind it is. You would sit on a farm and realize that is leaking money. Obviously, they do not want to do that.

The next thing he would have to do is build a berm all the way around his tank to contain a spill if all of the diesel fuel came out of it. This would be expensive and difficult to operate.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. INHOFE. Mr. President, I ask unanimous consent to have 3 more minutes and conclude.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. Finally, Keith would have to hire and pay a professional engineer to certify his spill plan, if he can find one. In Oklahoma, farmers cannot find professional engineers because they are all working for oil and gas companies, which makes compliance with this particular requirement virtually impossible. All told, Keith would have to pay somewhere between \$10 and \$30,000 to comply with the rule, and the environment is not any better for it.

After we secured the amendment prohibiting the EPA from enforcing the rule back in March, Senator PRYOR and I worked to secure a permanent exemption, and we did this. We put it in, as the Senator from California will remember, the WRDA bill, and, of course, it is not final law yet. This is the amendment that we have right now.

Last month, during the August recess, I received word from the National Cattlemen's Beef Association that producers in Kansas and other areas out West were hearing from EPA enforcement officers that they were at risk of having the SPCC rule retroactively enforced against them once the prohibition on enforcement expires on September 23. This comes despite the clear actions Congress has been taking to provide relief to farmers. I honestly do not know of anyone who wants to subject our farmers in the United States of America to the same requirements that refineries and oil companies and these operations have.

So I do have an amendment that would go on. It is my hope we will be able to get to the amendments on the bill, the underlying bill that is under consideration today, and I think this is one of two amendments I have that should be accepted unanimously.

With that, I thank the Senator from California for giving me that additional time, and I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, first I want to add my voice of condolence to that of Senator MURRAY's and say to the Navy family how heavy our hearts are and that I stand ready, any minute, any hour, any second, to work with my colleagues to make sure mentally ill people do not get their hands on weapons. As soon as we can get a breakthrough on that—and maybe on background checks—maybe we can finally do something for 90 percent of the American people who want us to.

I also want to note that Senator INHOFE and I have an ongoing dispute, though it is quite friendly, on climate change. We went through this this morning. He sees evidence that climate change is probably still a hoax, and he talks about the great news that we do not have climate change. I think you should tell that to the people in Colorado. But notwithstanding that—forget

that—I ask unanimous consent to have printed in the RECORD four articles that appeared in the recent days about how the consensus on climate change is growing, and there is 95-percent certainty that the cause is human activity.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Reuters, Aug. 16, 2013]

EXPERTS SURE OF MANMADE GLOBAL WARMING BUT LOCAL PREDICTIONS ELUSIVE
(By Environment Correspondent Alister Doyle)

OSLO (Reuters).—Climate scientists are surer than ever that human activity is causing global warming, according to leaked drafts of a major U.N. report, but they are finding it harder than expected to predict the impact in specific regions in coming decades.

The uncertainty is frustrating for government planners: the report by the Intergovernmental Panel on Climate Change (IPCC) is the main guide for states weighing multi-billion-dollar shifts to renewable energy from fossil fuels, for coastal regions considering extra sea defenses or crop breeders developing heat-resistant strains.

Drafts seen by Reuters of the study by the U.N. panel of experts, due to be published next month, say it is at least 95 percent likely that human activities—chiefly the burning of fossil fuels—are the main cause of warming since the 1950s.

That is up from at least 90 percent in the last report in 2007, 66 percent in 2001, and just over 50 in 1995, steadily squeezing out the arguments by a small minority of scientists that natural variations in the climate might be to blame.

That shifts the debate onto the extent of temperature rises and the likely impacts, from manageable to catastrophic. Governments have agreed to work out an international deal by the end of 2015 to rein in rising emissions.

“We have got quite a bit more certain that climate change . . . is largely manmade,” said Reto Knutti, a professor at the Swiss Federal Institute of Technology in Zurich. “We’re less certain than many would hope about the local impacts.”

And gauging how warming would affect nature, from crops to fish stocks, was also proving hard since it goes far beyond physics. “You can’t write an equation for a tree,” he said.

The IPCC report, the first of three to be released in 2013 and 2014, will face intense scrutiny, particularly after the panel admitted a mistake in the 2007 study which wrongly predicted that all Himalayan glaciers could melt by 2035. Experts say the error far overestimated the melt and might have been based on a misreading of 2350.

The new study will state with greater confidence than in 2007 that rising manmade greenhouse gas emissions have already meant more heatwaves. But it is likely to play down some tentative findings from 2007, such as that human activities have contributed to more droughts.

Almost 200 governments have agreed to try to limit global warming to below 2 degrees Celsius (3.6 Fahrenheit) above pre-industrial times, seen as a threshold for dangerous changes including more droughts, extinctions, floods and rising seas that could swamp coastal regions and entire island nations.

The report will flag a high risk that global temperatures will increase this century by more than that level, and will say that evi-

dence of rising sea levels is now “unequivocal”.

For all that, scientists say it is proving harder to pinpoint local impacts in coming decades in a way that would help planners.

Drew Shindell, a NASA climate scientist, said the relative lack of progress in regional predictions was the main disappointment of climate science since 2007.

“I talk to people in regional power planning. They ask: ‘What’s the temperature going to be in this region in the next 20–30 years, because that’s where our power grid is?’” he said.

“We can’t really tell. It’s a shame,” said Shindell. Like the other scientists interviewed, he was speaking about climate science in general since the last IPCC report, not about the details of the latest drafts.

WARMING SLOWING

The panel will try to explain why global temperatures, while still increasing, have risen more slowly since about 1998 even though greenhouse gas concentrations have hit repeated record highs in that time, led by industrial emissions by China and other emerging nations.

An IPCC draft says there is “medium confidence” that the slowing of the rise is “due in roughly equal measure” to natural variations in the weather and to other factors affecting energy reaching the Earth’s surface.

Scientists believe causes could include: greater-than-expected quantities of ash from volcanoes, which dims sunlight; a decline in heat from the sun during a current 11-year solar cycle; more heat being absorbed by the deep oceans; or the possibility that the climate may be less sensitive than expected to a build-up of carbon dioxide.

“It might be down to minor contributions that all add up,” said Gabriele Hegerl, a professor at Edinburgh University. Or maybe, scientists say, the latest decade is just a blip.

The main scenarios in the draft, using more complex computer models than in 2007 and taking account of more factors, show that temperatures could rise anywhere from a fraction of 1 degree Celsius (1.8 Fahrenheit) to almost 5C (9F) this century, a wider range at both ends than in 2007.

The low end, however, is because the IPCC has added what diplomats say is an improbable scenario for radical government action—not considered in 2007—that would require cuts in global greenhouse gases to zero by about 2070.

Temperatures have already risen by 0.8C (1.4F) since the Industrial Revolution in the 19th century.

Experts say that the big advance in the report, due for a final edit by governments and scientists in Stockholm from September 23–26, is simply greater confidence about the science of global warming, rather than revolutionary new findings.

SEA LEVELS

“Overall our understanding has strengthened,” said Michael Oppenheimer, a professor at Princeton University, pointing to areas including sea level rise.

An IPCC draft projects seas will rise by between 29 and 82 cm (11.4 to 32.3 inches) by the late 21st century—above the estimates of 18 to 59 cm in the last report, which did not fully account for changes in Antarctica and Greenland.

The report slightly tones down past tentative findings that more intense tropical cyclones are linked to human activities. Warmer air can contain more moisture, however, making downpours more likely in the future.

“There is widespread agreement among hurricane scientists that rainfall associated with hurricanes will increase noticeably

with global warming,” said Kerry Emanuel, of the Massachusetts Institute of Technology.

“But measuring rainfall is very tricky,” he said.

[From The Guardian, July 22, 2013]

CLIMATE CHANGE SLOWDOWN IS DUE TO WARMING OF DEEP OCEANS, SAY SCIENTISTS

Climate sceptics have seized on a pause in warming over the past five years, but the long-term trend is still upwards.

(By Fiona Harvey)

A recent slowdown in the upward march of global temperatures is likely to be the result of the slow warming of the deep oceans, British scientists said on Monday.

Oceans are some of the Earth’s biggest absorbers of heat, which can be seen in effects such as sea level rises, caused by the expansion of large bodies of water as they warm. The absorption goes on over long periods, as heat from the surface is gradually circulated to the lower reaches of the seas.

Temperatures around the world have been broadly static over the past five years, though they were still significantly above historic norms, and the years from 2000 to 2012 comprise most of the 14 hottest years ever recorded. The scientists said the evidence still clearly pointed to a continuation of global warming in the coming decades as greenhouse gases in the atmosphere contribute to climate change.

This summer’s heatwave, the most prolonged period of hot weather in the UK for years, has not yet been taken into account in their measurements.

Peter Stott of the Met Office said computer-generated climate models all showed that periods of slower warming were to be expected as part of the natural variation of the climate cycle, and did not contradict predictions. Given that variation, current temperatures are within expectations.

As well as the heating of the deep oceans, other factors have played a significant part in slowing temperature rises. These have included the solar minimum—when the sun is less active and generating slightly less heat, as occurred in 2008/2009—and a series of small volcanic eruptions, including that of Iceland’s Eyjafjallajökull volcano in 2010. Ash from volcanoes reflects light back into space, and major eruptions in the past have had a severe, albeit temporary, cooling effect.

Despite the slowdown in warming, by 2060 the world is still likely to have experienced average temperatures of more than 2C above pre-industrial levels—a threshold that scientists regard as the limit of safety, beyond which climate change impacts are likely to become catastrophic. Prof Rowan Sutton, director of climate research at the National Centre for Atmospheric Research at Reading University, said the current pause would only delay reaching this point by five to 10 years.

The “pause” in the rise of global temperatures has been seized on by climate sceptics, however, who have interpreted it as proof that the science of climate change is mistaken. But despite the slowdown in warming, the warmest years on record were 1998, 2005 and 2010, according to the US National Oceanic and Atmospheric Administration.

Prof Sutton said more research was needed on the effects of warming on the deep oceans, as observations of deep ocean temperatures have only been carried out in detail over the past decade and more are needed. Higher temperatures could not only have a devastating effect on marine life, he said, but could also contribute to increases in sea levels as sea water expands.

The Met Office warned early in the summer that the UK could be in for a decade of

“washout” summers, like those of the past six years, because of the effect of climate change on global weather systems, partly as a result of changes in wind patterns caused by the melting Arctic.

But no sooner had the meteorologists made their prediction than the weather bucked this trend, with a shift in the Atlantic’s jet stream air circulation system giving rise to high-pressure weather fronts and a long period of settled sunny weather.

[From NOAA, May 10, 2013]

CO₂ AT NOAA’S MAUNA LOA OBSERVATORY
REACHES NEW MILESTONE: TOPS 400 PPM

On May 9, the daily mean concentration of carbon dioxide in the atmosphere of Mauna Loa, Hawaii, surpassed 400 parts per million (ppm) for the first time since measurements began in 1958. Independent measurements made by both NOAA and the Scripps Institution of Oceanography have been approaching this level during the past week. It marks an important milestone because Mauna Loa, as the oldest continuous carbon dioxide (CO₂) measurement station in the world, is the primary global benchmark site for monitoring the increase of this potent heat-trapping gas.

Carbon dioxide pumped into the atmosphere by fossil fuel burning and other human activities is the most significant greenhouse gas (GHG) contributing to climate change. Its concentration has increased every year since scientists started making measurements on the slopes of the Mauna Loa volcano more than five decades ago. The rate of increase has accelerated since the measurements started, from about 0.7 ppm per year in the late 1950s to 2.1 ppm per year during the last 10 years.

“That increase is not a surprise to scientists,” said NOAA senior scientist Pieter Tans, with the Global Monitoring Division of NOAA’s Earth System Research Laboratory in Boulder, Cob. “The evidence is conclusive that the strong growth of global CO₂ emissions from the burning of coal, oil, and natural gas is driving the acceleration.”

Before the Industrial Revolution in the 19th century, global average CO₂ was about 280 ppm. During the last 800,000 years, CO₂ fluctuated between about 180 ppm during ice ages and 280 ppm during interglacial warm periods. Today’s rate of increase is more than 100 times faster than the increase that occurred when the last ice age ended.

It was researcher Charles David Keeling of the Scripps Institution of Oceanography, UC San Diego, who began measuring carbon dioxide at Mauna Loa in 1958, initiating now what is known as the “Keeling Curve.” His son, Ralph Keeling, also a geochemist at Scripps, has continued the Scripps measurement record since his father’s death in 2005.

“There’s no stopping CO₂ from reaching 400 ppm,” said Ralph Keeling. “That’s now a done deal. But what happens from here on still matters to climate, and it’s still under our control. It mainly comes down to how much we continue to rely on fossil fuels for energy.”

NOAA scientists with the Global Monitoring Division have made around-the-clock measurements there since 1974. Having two programs independently measure the greenhouse gas provides confidence that the measurements are correct. Moreover, similar increases of CO₂ are seen all over the world by many international scientists. NOAA, for example, which runs a global, cooperative air sampling network, reported last year that all Arctic sites in its network reached 400 ppm for the first time. These high values were a prelude to what is now being observed at Mauna Loa, a site in the subtropics, this year. Sites in the Southern Hemisphere will follow during the next few years. The in-

crease in the Northern Hemisphere is always a little ahead of the Southern Hemisphere because most of the emissions driving the CO₂ increase take place in the north. Once emitted, CO₂ added to the atmosphere and oceans remains for thousands of years. Thus, climate changes forced by CO₂ depend primarily on cumulative emissions, making it progressively more and more difficult to avoid further substantial climate change.

[From the New York Times, May 10, 2013]

HEAT-TRAPPING GAS PASSES MILESTONE,
RAISING FEARS

(By Justin Gillis)

The level of the most important heat-trapping gas in the atmosphere, carbon dioxide, has passed a long-feared milestone, scientists reported Friday, reaching a concentration not seen on the earth for millions of years.

Scientific instruments showed that the gas had reached an average daily level above 400 parts per million—just an odometer moment in one sense, but also a sobering reminder that decades of efforts to bring human-produced emissions under control are faltering.

The best available evidence suggests the amount of the gas in the air has not been this high for at least three million years, before humans evolved, and scientists believe the rise portends large changes in the climate and the level of the sea.

“It symbolizes that so far we have failed miserably in tackling this problem,” said Pieter P. Tans, who runs the monitoring program at the National Oceanic and Atmospheric Administration that reported the new reading.

Ralph Keeling, who runs another monitoring program at the Scripps Institution of Oceanography in San Diego, said a continuing rise could be catastrophic. “It means we are quickly losing the possibility of keeping the climate below what people thought were possibly tolerable thresholds,” he said.

Virtually every automobile ride, every plane trip and, in most places, every flip of a light switch adds carbon dioxide to the air, and relatively little money is being spent to find and deploy alternative technologies.

China is now the largest emitter, but Americans have been consuming fossil fuels extensively for far longer, and experts say the United States is more responsible than any other nation for the high level.

The new measurement came from analyzers atop Mauna Loa, the volcano on the big island of Hawaii that has long been ground zero for monitoring the worldwide trend on carbon dioxide, or CO₂. Devices there sample clean, crisp air that has blown thousands of miles across the Pacific Ocean, producing a record of rising carbon dioxide levels that has been closely tracked for half a century.

Carbon dioxide above 400 parts per million was first seen in the Arctic last year, and had also spiked above that level in hourly readings at Mauna Loa.

But the average reading for an entire day surpassed that level at Mauna Loa for the first time in the 24 hours that ended at 8 p.m. Eastern Daylight Time on Thursday. The two monitoring programs use slightly different protocols; NOAA reported an average for the period of 400.03 parts per million, while Scripps reported 400.08.

Carbon dioxide rises and falls on a seasonal cycle, and the level will dip below 400 this summer as leaf growth in the Northern Hemisphere pulls about 10 billion tons of carbon out of the air. But experts say that will be a brief reprieve—the moment is approaching when no measurement of the ambient air anywhere on earth, in any season, will produce a reading below 400.

“It feels like the inevitable march toward disaster,” said Maureen E. Raymo, a scientist at the Lamont-Doherty Earth Observatory, a unit of Columbia University.

From studying air bubbles trapped in Antarctic ice, scientists know that going back 800,000 years, the carbon dioxide level oscillated in a tight band, from about 180 parts per million in the depths of ice ages to about 280 during the warm periods between. The evidence shows that global temperatures and CO₂ levels are tightly linked.

For the entire period of human civilization, roughly 8,000 years, the carbon dioxide level was relatively stable near that upper bound. But the burning of fossil fuels has caused a 41 percent increase in the heat-trapping gas since the Industrial Revolution, a mere geological instant, and scientists say the climate is beginning to react, though they expect far larger changes in the future.

Indirect measurements suggest that the last time the carbon dioxide level was this high was at least three million years ago, during an epoch called the Pliocene. Geological research shows that the climate then was far warmer than today, the world’s ice caps were smaller, and the sea level might have been as much as 60 or 80 feet higher.

Experts fear that humanity may be precipitating a return to such conditions—except this time, billions of people are in harm’s way.

“It takes a long time to melt ice, but we’re doing it,” Dr. Keeling said. “It’s scary.”

Dr. Keeling’s father, Charles David Keeling, began carbon dioxide measurements on Mauna Loa and at other locations in the late 1950s. The elder Dr. Keeling found a level in the air then of about 315 parts per million—meaning that if a person had filled a million quart jars with air, about 315 quart jars of carbon dioxide would have been mixed in.

His analysis revealed a relentless, long-term increase superimposed on the seasonal cycle, a trend that was dubbed the Keeling Curve.

Countries have adopted an official target to limit the damage from global warming, with 450 parts per million seen as the maximum level compatible with that goal. “Unless things slow down, we’ll probably get there in well under 25 years,” Ralph Keeling said.

Yet many countries, including China and the United States, have refused to adopt binding national targets. Scientists say that unless far greater efforts are made soon, the goal of limiting the warming will become impossible without severe economic disruption.

“If you start turning the Titanic long before you hit the iceberg, you can go clear without even spilling a drink of a passenger on deck,” said Richard B. Alley, a climate scientist at Pennsylvania State University. “If you wait until you’re really close, spilling a lot of drinks is the best you can hope for.”

Climate-change contrarians, who have little scientific credibility but are politically influential in Washington, point out that carbon dioxide represents only a tiny fraction of the air—as of Thursday’s reading, exactly 0.04 percent. “The CO₂ levels in the atmosphere are rather undramatic,” a Republican congressman from California, Dana Rohrabacher, said in a Congressional hearing several years ago.

But climate scientists reject that argument, saying it is like claiming that a tiny bit of arsenic or cobra venom cannot have much effect. Research shows that even at such low levels, carbon dioxide is potent at trapping heat near the surface of the earth.

“If you’re looking to stave off climate perturbations that I don’t believe our culture is

ready to adapt to, then significant reductions in CO₂ emissions have to occur right away," said Mark Pagani, a Yale geochemist who studies climates of the past. "I feel like the time to do something was yesterday."

Mrs. BOXER. Mr. President, I want to ask Senator DURBIN how much time he needs, and I will make a request that he be recognized.

Mr. DURBIN. Mr. President, I thank the gentle lady from California.

Mrs. BOXER. I am not the gentle lady anymore.

Mr. DURBIN. Pardon me?

Mrs. BOXER. I remember 10 years of being a gentle lady.

Mr. DURBIN. Well, I still think she is a gentle lady.

Mrs. BOXER. Well, that is so nice of the Senator to say.

Mr. DURBIN. In addition to being the Senator from California.

I see on the floor the Senator from Wisconsin. I do not want to step in front of him.

All right. Then I ask unanimous consent to be given 5 minutes to speak after the Senator from California.

The PRESIDING OFFICER (Mr. BROWN). Without objection, it is so ordered.

The Senator from California.

Mrs. BOXER. Mr. President, I want to talk about what is happening in this Congress or, better yet, what is not happening. We have to pass a continuing resolution so we can fund this government. That means all the functions—whether it is air traffic controllers, whether it is building our highways, whether it is FBI agents, whether it is paying Social Security. All the things we do—Medicare—we have to pass a continuing resolution to keep this government going—sending meat inspectors out to make sure we do not get poisoned, and the rest; you name it.

And where is the House? All spending bills have to start over there. The Republicans control it. They have not sent us a continuing resolution. We also have to make sure we pay our debts—just like all Americans—debts we voted for. Whether it is military spending, domestic spending, spending to help our farmers, spending to help recover from Hurricane Sandy, we have to pay our debts. To do that, we have to increase the debt ceiling.

October 15; it is coming. If we do not do it, if the Republicans play games, we will see a crash in the stock market. I am sure every American looks forward to that. They are not doing their work because they are obsessed—they are obsessed—with repealing a law they have tried to repeal 41 times. They are obsessed.

They tried to get it overturned in the Supreme Court. The Supreme Court said it is constitutional. They are trying to take away a law that is helping every American, and I am going to talk about it. They are obsessed.

They refuse to understand that raising the debt ceiling is not about future spending, it is about past spending. So their reason is, they are very upset

about the Affordable Care Act—or ObamaCare, however you want to call it—and they are very upset about the deficit, which has come down by half from its height with this President's leadership.

Here is the thing: I do a lot of speaking to youngsters in school. When I explain to them what the role of a Senator is, I say, in essence, it is to make life better for the people—that is what I think it is—and to do it in a smart way, and to work with your colleagues to make sure you can compromise and get things done. Whether it is building highways or making sure our ports are dredged or funding the military, we must work together. No one gets everything he or she wants. That is life. You have to compromise. You cannot be an ideologue and say: My way or the highway.

To go after a law that was passed years ago—that you tried to repeal 41 times and failed, that you tried to overturn in the Court and failed—and then not to do your most fundamental responsibility of keeping the government open? There is something really wrong about this.

Let's take a look at this economy. Why are they so upset at what the President has been able to achieve?

President Clinton left office with a surplus—over \$200 billion. Remember that.

Eight years later, President Bush left office with a \$1.3 trillion deficit. I will not go into why because I do not have the time, but that is the fact, and no one can erase it from the books.

Since President Obama took office, the projected annual deficit has been cut in half. It is less than \$650 billion. Yet they are willing to shut the government down by making believe no progress has been made, when we have cut the deficit in half and we are trying to get out of a disastrous recession.

Under the Clinton administration, the economy created more than 20 million private sector jobs. Under George W. Bush, we lost 665,000 jobs.

Remember, Clinton, millions of jobs created; George Bush, the Republican, hundreds of thousands of private sector jobs lost.

Under President Obama, we have added 3.9 million private sector jobs—coming out of the worst recession since the Great Depression. You can say what you want, but President Obama and the Democrats here—even though it has been a bear to do it—we have managed to wrap our arms around this recession and get us on a course.

How about housing? Home prices are up more than 12 percent over the last year. Home sales have increased 47 percent since their crisis low. Recent housing starts are up 75 percent from April 2009.

Housing was the cause of this recession. People sliced and diced mortgages and sold them on Wall Street and brought everything down. Deregulation; that was the Republican mantra. It went too far, and we lost our way,

and people suffered through the worst recession since the Great Depression.

The Republicans, instead of working with us to keep the progress up, want to shut the government down, want to say we are not going to pay our bills, even though they voted to rack up those bills.

Look at the auto industry. In 2009, the auto industry lost more than 100,000 jobs. Rescuing the auto industry saved more than 1 million jobs, and the news is great coming out of Detroit. People are buying cars.

The Republicans put it all at risk by shutting down the government and not paying the bills.

There are going to be no more bailouts. I was so proud. I offered the first amendment. I think my friend remembers: No more government bailouts to the big banks. So we are on our way to saying, once and for all, we are not going to let this crisis happen again.

The stock market. Do you know the Dow fell to 6,500, Mr. President? Since then, it has rebounded to 15,000—almost 2,000 points above its precrisis record. But yet they will put it all at risk because they are saying they are going to play games, shut down the government, not pay the debt.

The last time they played these games—the Republicans—GAO found that threatening to breach the debt limit cost the Treasury \$1.3 billion just in 2011, and \$18 billion over the next 10 years.

The next time a Republican tells you how fiscally conservative they are, ask them why it is they added \$18 billion to the debt by playing games with the debt ceiling.

I want to quote Republican President Ronald Reagan, one of the heroes of my friends' party. He said:

The full consequences of a default—or even the serious prospect of default—by the United States are impossible to predict and awesome to contemplate. Denigration of the full faith and credit of the United States would have substantial effects on the domestic financial markets and the value of the dollar.

That is Ronald Reagan. In 1983 he said that even talking about a default had terrible consequences. They are not even talking about a default, they are planning for a default.

My friend, who is such a great leader in the Senate, Senator DURBIN, informed us and Senator REID informed us that the Republicans in the House have a bill they love. We call it Pay China First. If there is a default, they will keep paying China the interest we owe them, but they will default on all of the Americans here and all of the contractors, the highway contractors, the people who dredge our ports. They will default on what they owe the American people, but they will pay China.

Douglas Holtz-Eakin, the CBO Director under George W. Bush, said:

It's a bad idea. Little defaults, big defaults; default's a bad idea period and there should be no one who believes otherwise.

He said that in 2011. There is no such thing as a good default.

I have shown how far we have come with this economy. If we do not have the far right of the Republican Party taking America's country hostage, we will continue to grow this economy. But if they play games and try to shut down this government, it could all turn around. If they play games and they try to default on the debt, they could turn it all around in a bad way, and we will see the results as Social Security recipients start to worry, as Medicare receipts start to worry, as contractors start to worry, as Federal FBI agents can no longer get paid—it goes on and on and on.

One of the reasons they are so crazed is they are obsessed over the Affordable Care Act, which they call ObamaCare. In my time, I want to tell you what the Affordable Care Act does and see whether you think it is worth shutting down the government over this bill. They tried it 41 times, but they hope 42 will be their winner. Over 1 million Californians—this is just in my State—are already newly insured. Three million young adults are now insured on their parents' plans—3 million are now insured, 400,000 in my State. Now 71 million Americans are getting free preventive care, such as checkups and birth control and immunizations. They do not like that, I guess. They are willing to shut the government down over it. Now 17 million kids with preexisting conditions, such as asthma, can no longer be denied coverage. Insurance companies cannot cancel your health insurance because you get sick. There are no more lifetime limits on coverage. Anyone who has had a catastrophic disease knows it is pretty easy to hit that cap. No more caps in a year. No more lifetime caps. This is what they are so obsessed about. So they are willing to shut down the government to take away these benefits.

They said: Oh, health care costs are going to go up because of the Affordable Care Act. Well, guess what, health care costs are growing at the slowest rate in over 50 years. Insurance companies now have to justify their premium hikes. Before, they just hiked your rates and they could do it with impunity. Now, insurers have to spend at least 80 percent of your premiums on your medical care, not on overhead. They cannot pocket the money; they have to spend it on health care. Also, 8.5 million Americans have received rebate checks from their insurance company because they were overcharged. Is that what the Republicans are so upset about? They are willing to shut down the government to take away these benefits from the people.

Insurance companies cannot deny coverage or charge more for preexisting conditions. They cannot

charge women more than men. There is no more discrimination. Again, in a single year, they cannot impose dollar limits on you.

The Republicans are upset about the deficit. The deficit has been cut in half.

I ask unanimous consent for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. The House has voted 41 times to defund the Affordable Care Act. They took it all the way to the Supreme Court, the Republican attorneys general. They lost. They made it a centerpiece of the 2012 election. They lost the Presidential election. Now they are willing to shut down the government unless they get their way.

So I would conclude by asking some rhetorical questions.

Why are the Republicans obsessed with kicking young people off their parents' insurance?

Why are the Republicans so obsessed with stopping preventive care, such as checkups and birth control and immunizations?

Why are Republicans so obsessed with repealing benefits that guarantee insurance coverage for children and adults with preexisting conditions?

Why are they so obsessed with stopping 13 million people from getting insurance who never had the chance before?

Why are they so obsessed with stopping 24 million people from getting insurance under the new State health exchanges?

Why are they so obsessed with repealing a law that prevents insurance companies from canceling an insurance policy when someone gets sick? Why are they obsessed that we are stopping that practice?

Why are they so obsessed when we say you can no longer have an annual dollar limit on benefits?

Why are they so obsessed with repealing a law that says to an insurance company: You cannot have a lifetime limit on benefits.

Why are they so obsessed with repealing a law that finally stops discrimination against women? You know, being a woman was considered a preexisting condition. Honestly. You would have to pay twice as much as a man for your health care. If you were a victim of some kind of spousal abuse, that was considered a preexisting condition and your payments went up or maybe you never even got insurance.

I have to that say finally, why are they so obsessed with doing away with the Affordable Care Act when CBO—the Congressional Budget Office—says it will save \$109 billion over 10 years and over \$1 trillion the following decade?

I cannot answer these questions. All I can think is that it is politics. It is politics. I have been here a long time. I am proud of it. I thank my people in California for allowing me to have this honor. There were many laws I did not like, believe me. I have served with five Presidents. I did not agree with quite a

few of them—two or three—but when I lost a battle, I did not try to shut down the government. When I lost a battle, I did not say: We cannot pay our debts. Oh, maybe I voted once or twice as a symbolic vote, but I knew the votes were there.

So I would say to my friends, get over your obsession and proceed with your responsibilities to keep this government open. Forget about repealing a health care law that is about to kick in that is good for the people and pay your debts.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

TRIBUTE TO TOM LAMONT

Mr. DURBIN. Mr. President, I rise to thank a good friend for his service to our Nation, America's soldiers, and their families. Tom Lamont of Springfield, IL, is retiring this week as Assistant Secretary of the Army for Manpower and Reserve Affairs, the Army's top personnel officer. It is a post Tom has held for more than 4 years. These were not 4 ordinary years; they were 4 of the most challenging in the Army's modern history. The list of challenges Tom Lamont faced from day one was daunting. At the top of his list, he had to help coordinate the drawdown of U.S. troops from Iraq. At the same time he had to support a surge of troops in Afghanistan and then help the return home of those same troops. He also had to address many of the most important issues facing the military and our Army today, including post-traumatic stress, traumatic brain injuries, sexual assault in the military, and the disturbingly high incidence of suicide among Active-Duty soldiers and veterans.

I was proud to introduce Tom Lamont at his confirmation hearing before the Senate Armed Services Committee 4 years ago. I said then that with the tremendous strain the war in Iraq and Afghanistan had created for soldiers and their families, the Army needed a leader like Tom Lamont.

As he prepares to complete his mission in the Pentagon, I am proud but not at all surprised that Tom was every bit the leader our Army needed. In the time of this historic challenge for the Army, Assistant Secretary Thomas Lamont has consistently risen to the challenge. He made clear from the start that his No. 1 priority was the well-being of America's soldiers and their families, especially those coping with multiple deployments.

He also supervised the development of the Army's first Total Force Policy—a new policy that integrates the Active Duty, Guard, and Reserve components of the Army into a single, effective, unified force. It was signed by Secretary of the Army John McHugh just last September. The new Total Force Policy reflects a fundamental fact that, as decades of war in Iraq and Afghanistan have demonstrated, our Army Guard, and Reserve are now as integral to the fight as the Active-

Duty component and we are not going back. Very few people could bring to that task the experience and personal commitment that Tom Lamont did.

Assistant Secretary Lamont also oversaw a review of the Army's Integrated Disability Evaluation System. The IDES system is a partnership between the Defense Department and the Department of Veterans Affairs. It is used to evaluate the wounded, ill or injured servicemembers, to determine whether they are fit for duty, and if not, what disability rating or benefits they receive. Thanks to Tom's focus, the Army's IDES wait times are down more than 40 percent, and the process is more consistent and less adversarial. We need to cut back on that backlog even further, and we will. Tom Lamont's leadership over the last 4 years has made a real difference in reducing the so-called benefits gap for servicemembers transitioning to civilian life.

One reason Tom has been such an effective Assistant Secretary of the Army is the respect he brought to this position for the sacrifices made by all soldiers, whether they are Active Duty, Guard, or Reserve. That respect is something Tom learned during his 25 years as a judge advocate general in the Illinois National Guard. He retired from the Guard with the rank of colonel in 2007. His years of experience in the Illinois Army National Guard gave Tom Lamont a deep understanding of the needs of the Army.

Tom is also a respected attorney in our hometown of Springfield, IL, and a former partner in two distinguished law firms. One of those firms, the Springfield firm of Brown, Hay & Stephens, is the oldest law practice in Illinois. From 1837 to 1841, it employed a young lawyer by the name of Abraham Lincoln. Later, in his second inaugural address, President Lincoln spoke of the solemn obligation of any nation that has been through a war. He said we have a moral responsibility "to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations." Tom Lamont has kept faith with that moral responsibility Abraham Lincoln spoke to.

Tom Lamont has also served the people of Illinois in many important positions: executive Director of the Office of the State Attorney Appellate Prosecutor, director of civil litigation in the Office of the Illinois Attorney General, executive director of the Illinois Board of Higher Education, special counsel to the University of Illinois, and member of the Senate Judicial Nomination Commission.

A while back, GEN Martin Dempsey, Chairman of the Joint Chiefs of Staff, gave a speech in which he described the historic challenges facing the U.S. Armed Forces. He said in those remarks that "if we don't get the people right, the rest of it won't matter." He

went on to say, "We might get the equipment right, the organizational design right, modernization right, but if we don't get the people right, we're going to put the country at risk."

When President Obama nominated Tom Lamont to be Assistant Secretary of the Army, he got the people right. His service these last 4 years leaves our Army stronger and better prepared for what lies ahead.

In closing, I wish to thank Tom for his extraordinary record of public service.

Tom and his wife Bridget are good friends of Loretta's and mine. I know better than most the personal sacrifices both have made so Tom could serve this President in the U.S. Army and the Nation he loves. I wish Tom and Bridget the best in life's next challenge.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DURBIN. I ask for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I wish to salute my colleague from California Senator BOXER. The statement she made before I spoke summarized what we face: People say to me are we really going to shut down the Federal Government? Is that what we were elected to come here to do, to reach an agreement between the parties, between the House and the Senate, to shut down the government and cut off the basic services of the Government of the United States of America, the leading Nation in the world when it comes to striving for social justice as well as peace? Are you going to shut down the government? Is that the best you can do in this Congress?

The answer is it is not worthy of this great institution or this great Nation for us to entertain the thought of shutting down this government or, even worse, to default on America's debt for the first time in our history.

People don't understand this term "debt ceiling." Let me explain it. Do you have a mortgage on your home? What would happen if you didn't make a payment next month? Oh, you might get by with it, but by the second month there would be a knock on the door, a call, or an e-mail. They would be saying to you: You missed your payment, and if you want to stay in this house you better make it.

Even if you made that payment, the next time you negotiate a mortgage, someone will remember you defaulted, you failed to pay your mortgage, and you are likely to pay a higher mortgage rate.

Translate that into the United States of America. If we don't pay our mortgage, if we don't lift the debt ceiling to reflect spending that this Congress has already engaged in by both political parties, we will have defaulted on America's debt for the first time in history. We may get through it. I am sure

we will. But at the end of the day what will happen is the interest rate paid by Americans to borrow money will go up. It means that \$1 sent to Washington in taxes will no longer buy \$1 worth of goods and services. No. It will buy less because more of that is to be paid in interest to someone loaning money to the United States. Golly, it is an awful outcome. I wish we could avoid it.

The answer is we can avoid it. The default on America's debt, the failure to extend the debt ceiling, is a self-imposed crisis generated, sadly, by the majority in the House of Representatives who happen to believe this is good politics. The American people will rally to the notion that we are going to default on our debt for the first time and we are going to stop funding the government.

What a glorious day for this great Nation, closing the doors of our government in every single agency, virtually every single agency, and defaulting on our debt for the first time in history.

If that is what the tea party Republicans think is leadership, God save the United States of America. We need leadership where Democrats and Republicans sit down and act as adults, not as squealing political pigs trying to get attention. We need to basically sit down, both political parties, and solve this problem.

I have been waiting patiently, watching. We have asked for a budget conference committee to work out our differences. Time and again we have come to the floor over the last 6 months and said Senator MURRAY's budget which passed the Senate is ready to be negotiated with the House. Consistently, four Senators on the Republican side of the aisle have taken turns standing up and objecting to working out our differences and coming up with an agreement on how much we will spend. That is not how you should govern this Nation. I don't believe that is how you should serve in the Senate.

The latest excuse—and I won't go into detail—is, of course, Republicans have said: Of course, we have to shut down the government and we have to default on our debt for the first time in history to stop ObamaCare.

Senator BOXER went through the details of what ObamaCare means to millions of families and the opportunity for health insurance for the first time for many of them in their entire lives. It is working, and I think that is what infuriates many Republicans the most.

We can fix it, it can be better, and we should do it. But to bring this government to a halt and to default on our debt over this question of a bill that passed over 3 years ago and is the law of the land, found constitutional by the Supreme Court, is the height of irresponsibility.

The American people have a right to be angry with Congress, but please take a moment and realize that this desperate, awful strategy is inspired by one political party, which thinks that

somehow this is going to appeal to the American people. I don't believe it will. The American people are too smart to fall for that.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I sat through the speech given by the junior Senator of California. I have a long list of things with which I disagree and I am going to get to as many of those as I can in a minute. I feel an obligation to make a statement about some important policy issues that nobody talks about, certainly not partisan in any way. I wish to get that out of the way first and then I will have time, on the time that I have been given, to go back and cover as many of the issues that were misrepresented by my good friend, the junior Senator from California.

SRI LANKA

I wish to encourage the Obama administration to review its current policies regarding the country of Sri Lanka and seek further engagement to assist them as they continue their progress toward reconciliation and reconstruction after 30 years of a bloody civil war against the Tamil Tiger terrorists.

Just 4 years ago Sri Lanka defeated the Tamil terrorists and is currently recovering from economic, political, and social upheaval caused by this destructive civil war. I think there are a lot of people who didn't expect this to happen with this new administration, but it is. Good things have happened. Peace has brought historic postconflict recovery and Sri Lanka is bringing the dividends of peace in an exclusive manner, particularly to those in the north and to the east of the country, from where Tamil suicide bombers and other terrorist attacks were once launched.

Specifically, since the war ended, those two areas have seen an economic growth of 22 percent compared to an average of 7.5 percent for the rest of the country.

Sri Lanka has removed half a million antipersonnel mines, resettled 300,000 internally displaced people, and reestablished vital social services in the areas of health and education.

It is also conducting local elections in the formerly Tamil-controlled north on the 21st of September. I see this as an important step toward political reconciliation. Such processes take time, as we learned from our own Civil War.

It seems to me that Sri Lanka is developing into a key economy, both in its own right and as a gateway to India. A lot of people don't know where Sri Lanka is. It is that little island at the bottom of India and that part of the world.

Sri Lanka's geostrategic location, the deepwater ports, could be vital to the long-term financial and national security interests of the United States. We want them on our side. Some 50 percent of all container traffic, for ex-

ample, and 70 percent of the world's energy supplies pass within sight of Sri Lanka's coast.

U.S. diplomatic efforts there, however, have lagged. As a result, I believe our long-term economic and national security interests are suffering. At a time when the United States is pivoting or rebalancing toward Asia, we may be giving this island nation reason not to consider the United States a friend and strategic partner.

Understandably, the policies of the United States toward Sri Lanka have focused on accountability for what happened during the last phases of the civil war, as well as on steps toward political reconciliation and respect for human rights. While these aspects are very important and deserving of support, I also believe there is the opportunity to engage in a wider simultaneous approach that also takes into account economic and national security consideration. Maybe this wider, dual-track approach would have a positive influence overall and make up for lost ground.

I have expressed these views in letters to both Secretary Kerry and Secretary Hagel in recent months. While both of them agree with me about Sri Lanka and its economic and geostrategic importance to the United States, both still point to the lack of political transparency and poor human rights record to reject a review of the administration's position, which restricts military-to-military relations and foreign assistance funding.

I take Secretary Kerry and Secretary Hagel at their word and believe the upcoming September 21 provincial council elections in the north can be a meaningful act of political reconciliation that would be between the Sinhala majority and the Tamil minorities. If they are conducted in a free and fair manner, free of human rights violations, I will strongly renew my request to the administration to reassess our current policies toward Sri Lanka.

I know it is a little bit controversial, but we have watched what has happened over the years. We have watched the civil war. Then when you consider the very strategic location of Sri Lanka, it is very important, in my view, that we establish these relationships and recognize them.

Let me mention a few things I took issue with. Some of them I had a hard time understanding what the junior Senator from California was talking about when she was singing the praises of this administration.

First, I agreed with her on the tragedy at the Navy Yard. I have been down there many times. I was envisioning as I was coming from Tulsa up here on Monday—at that time they said Ronald Reagan Airport was going to be closed. They thought it was going to be closed down because of the proximity to the Navy Yard. It didn't turn out that way and we ended up landing there.

When I went down and I saw the scene, which I have seen many times

before, and I looked at it, it was gut-wrenching to think that one deranged person could do this. We saw it before in Waco. We have seen it in Boston. We have seen it in other places. It is something that I assume is going to be with us. I don't know how it can be precluded.

I will say this, though. I fully expected several of my liberal friends would use that to try to come up with an excuse for more stringent gun regulations. I would only suggest that the District of Columbia has the most stringent anti-Second Amendment gun control laws anywhere in the country, and that is where this took place. You can't say this has anything to do with it, but I knew it was going to happen.

Another thing my friend talked about was the debt, all of this, talking about the other administrations. I would only remind you, this is something that is incontrovertible, the amount of debt this President has had up to today. He has increased our deficit by \$6.1 trillion, which is more than all of the other Presidents from George Washington on up through recent administrations combined. You wonder where is all of that money, where did it all go? It went to his social programs.

My major concern—the Presiding Officer may have heard I was making quite an issue out of the fact the President wanted to send cruise missiles into Syria. I don't think there is anyone naive enough to believe you can do that and not have repercussions.

We have heard from Iran, which I consider to be the greatest threat to the United States, in that our intelligence has told us since 2007 Iran would have the nuclear weapon and the delivery system in place by 2015. That is a year and a half from now. Yes, it is something where we would be going in.

However, in the disarming of America, as I have referred to, I remember going to Afghanistan 4½ years ago. It was after the President's first budget. I went there because I knew what was going to happen to the military in spite of all this spending that has given us new debt, \$6.1 trillion. Where did it go? I can tell you a lot of places where it didn't go. It didn't go to defending America.

I went over there. In that very first budget the President had, the first thing he did was do away with our only fifth-generation fighter, the F-22. He did away with our lift capability, the C-17. He did away with our future combat system, the only advancement of ground capability in some 60 years. He did away with the ground-based interceptor in Poland, which now puts us in a position where we are hustling all over trying to figure out where we can get a third site to protect the United States of America against a missile coming in from the East. We have 33 of them out there but they are all on the west coast. That doesn't help us here.

On top of that, this administration, in its extended budget, has taken now already \$487 billion out of our defense

budget and is talking about another \$½ trillion through his sequestration.

I know nobody believes this, and that is why none of the Members on this floor will talk about it, but this disarming of America puts us in a very serious situation.

The junior Senator from California was praising this President and all of the things she felt he has been doing, but it is time to hear the truth. She was praising him on ObamaCare and how wonderful this is and how thankful everyone is. Why is it the most recent polling showed 88 percent of the people in America want to do away with the individual mandate, and the vast majority of them say it is a bad idea? Those are the words they use. So it is not working.

I can remember back when we were going to have Hillary health care, back during the Clinton administration, and we asked the question—and you can ask any liberal who wants to get to a single-payer system or ultimately have socialized medicine, which I think will be down the road in the vision of this administration—if this hasn't worked in Great Britain, it hasn't worked in Denmark and it hasn't worked in Canada, why would it work here? They will never tell you this, but they were saying if they were running it, it would work here.

Anyway, this is something that is not popular, as was misrepresented by the junior Senator from California. Then she said: "The news is great coming out of Detroit." That is fine, except they filed bankruptcy last week.

So when we hear all the things that are stated, just keep in mind this is still America, we still have certain values that have been completely reversed by this administration, and it is time to keep that in mind and to move on ahead.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise this afternoon to talk about two overarching issues that are confronting the Senate and the House at the same time. Both, unfortunately in this circumstance, are directly related. Normally, we would talk about these two issues separate and apart.

First of all, the Affordable Care Act and what that means for the country, what it means for families, the impact it is having now in a very positive way but also what it means for those families in the future and also the concerns I have about what a small group, but a very powerful group in the Congress, want to do that I would argue would adversely impact the economy.

Let me talk first about the Affordable Care Act. I was a strong supporter, worked hard for its passage, and will continue to work hard on the implementation. We have seen in the last couple of years, since implementation began in 2010, continued in 2011, 2012, and 2013, the benefits the Affordable Care Act have brought to this country.

We have also seen where we have had to make changes, where we have had to come together, often in a bipartisan manner, to make changes to the legislation to make it work. There will be plenty of other changes in the future, but the worst thing we could do right now is to pretend, as some in this body and in the other body do as well, that nothing has changed for the better for families.

Let me give a couple of examples. I will use Pennsylvania examples, but of course in every one of these there is a national number that corresponds to the State-by-State numbers.

Consider this: In the Commonwealth of Pennsylvania, 222,703 Pennsylvania seniors saved money on prescription drugs directly as a result of the Affordable Care Act. Health care reform provides seniors who hit the so-called doughnut hole with more than a 50-percent discount on brand name drugs. Already, just in Pennsylvania, that many seniors have had some measure of support when they got into that doughnut hole. That is a very nice way of saying a coverage gap, where they have to come up with the dollars for prescription drugs. I mentioned the number of 222,000 seniors in Pennsylvania who have already saved \$168 million on prescription drugs directly as a result of this legislation. So if you are for repealing this, you have to tell us how you are going to help those 222,703 Pennsylvanians with their prescription drug coverage if you want to take away that benefit.

Two more examples. I will not go through all of these. There are 5,489,162 Pennsylvanians with preexisting conditions who will no longer have to worry about being denied coverage. That part of the legislation, as the Presiding Officer knows so well, is an enlargement of what we had before. What we had in the first couple years of implementation was a legal prohibition that a child who had a preexisting condition would not be denied coverage. Imagine where we were before this legislation. The Federal Government and the Nation were saying to those families: We know your child has coverage, we know you are paying the premium for that child, we know that technically your child has some kind of health insurance coverage, but if that child has a preexisting condition, he or she does not get covered.

That was the prevailing policy before the Affordable Care Act was passed. What we said in the act was that is unacceptable. The United States is not going to say any longer to a family: If your child has a preexisting condition he or she will be denied coverage and treatment. We wiped that out by virtue of passage of the act and then implementation.

Now we are saying, as implementation proceeds in 2014, that same kind of coverage for preexisting conditions will apply to adults as well. We couldn't afford to do it right away, but now we are able to move in that direction.

Imagine what happens upon repeal, if we repeal the Affordable Care Act, if we go back to the old and, I would argue, very dark days, where children and adults with preexisting conditions don't get the coverage they need and surely deserve.

What kind of a country are we if we say a child whose parents have health insurance and have been paying premiums should not be covered or treated because an insurance company says they are not entitled to coverage? If we repeal the bill, we are going back to those days. Whether it is a child or an adult, the least we can do is say we will have a health insurance system in the United States where if you are paying your premiums, you will be given the coverage you are paying for and that you are entitled to. We couldn't say that before the passage of this act.

So repeal of the Affordable Care Act means preexisting conditions are no longer covered.

I haven't heard a lot from the other side about how they would achieve that. Maybe they will. Maybe they will come up with a plan to do that.

Finally, this is the third example. There are 91,000 young Pennsylvanians who have been able to find health care coverage. Under the act, young adults, ages 19 to 25, are able to stay on their parents' plan in order to maintain coverage.

A lot of families out there had a lot of worry and, frankly, a lot of financial burden but especially the anxiety of knowing a young person who may have been in college for years—maybe they had a 2-year college or 4-year education, but somewhere in that time period of being in college, roughly that age and after college up through age 25—had no coverage. This has solved that problem. Imagine the numbers across the country.

In both of these instances—young people having coverage on their parents' plans and children being covered for preexisting conditions—we are talking in the tens of millions of Americans, children and young adults.

Those are just three examples—seniors getting help with their prescription drug coverage, which they never got before at this level of protection and help; children with preexisting conditions, now adults; and then, thirdly, young people across the country.

I ask unanimous consent to have printed in the RECORD a summary entitled "The Affordable Care Act Is Providing Stability and Security for Middle-Class Pennsylvanians."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE AFFORDABLE CARE ACT IS PROVIDING STABILITY AND SECURITY FOR MIDDLE-CLASS PENNSYLVANIANS

The Affordable Care Act is providing middle-class families with stability and security. Instead of refighting old political battles over health care, Republicans should work with us to improve the law, help make sure people are aware of and take advantage of its benefits, and strengthen the economy.

Republicans want to go back to the days when insurance companies were in charge and could deny coverage to children with pre-existing conditions, charge women more than men, and run up premiums.

PROVIDING BENEFITS FOR PENNSYLVANIA SENIORS

222,703 Pennsylvania seniors saved money on prescription drugs. Health reform provides seniors who hit the so-called “donut hole” with a more than 50% discount on brand name drugs. Seniors will receive larger discounts each year until the “donut hole” closes completely in 2020. 222,703 Pennsylvania seniors have saved \$168 million on prescription drugs under health reform, for an average savings of \$753.

1,034,635 Pennsylvania seniors have received free preventive health services. As a result of health reform, seniors have access to free preventive health services such as cancer screening, diabetes screening, and annual wellness visits.

PROVIDING STABLE AND SECURE COVERAGE FOR MIDDLE-CLASS PENNSYLVANIANS

5,489,162 Pennsylvanians with pre-existing conditions will no longer have to worry about being denied coverage. Under the Affordable Care Act (ACA), insurance companies are already barred from denying coverage to children with pre-existing conditions. Starting in 2014, that protection will be afforded to all Americans, ensuring that those with conditions like cancer, diabetes, asthma, or heart disease will not be denied coverage or charged higher premiums. 5,489,162 non-elderly Pennsylvanians have been diagnosed with a preexisting condition.

91,000 young Pennsylvanians have been able to find health coverage. Under the ACA, young adults aged 19-25 are able to stay on their parents' plan in order to maintain coverage.

3,151,000 Pennsylvanians have received free preventive health services. The Affordable Care Act ensures that most insurance plans provide recommended health services like colonoscopies, Pap smears, mammograms, and well-child visits without cost-sharing or out of pocket costs. 3,151,000 Pennsylvanians have benefited from these services, including 1,218,000 women and 761,000 children.

4,582,000 Pennsylvanians no longer have to worry about lifetime or annual limits on coverage. Under the ACA, insurance companies can no longer deny coverage to those who need it most by imposing arbitrary lifetime or annual dollar limits on coverage.

MAKING PENNSYLVANIANS HEALTH CARE MORE AFFORDABLE

123,581 Pennsylvanians have received rebates and greater value from their health insurance. Under the ACA, Americans get greater value from their health insurance. Insurance companies are required to spend at least 80 cents of every dollar paid in premiums on health care as opposed to administrative expenses, executive salaries, or padding their profits. For every dollar spent above that limit, they are required to give rebates back to the American people. Last year, 123,581 Pennsylvanians received an average rebate of \$77 for a total of \$6,875,277.

Pennsylvania has received \$5,312,084 in lower premium increases. Because of the ACA, for the first time, insurance companies are required to publicly justify their actions if they want to raise rates by 10% or more. As a result of this effort to fight unreasonable premium hikes, Pennsylvania has received \$5,312,084.

Mr. CASEY. There is a lot more we could talk about, but we don't have time. I will not go into the national numbers because I know others have

done that, but these are just some of the examples of what this legislation has meant.

The act is not perfect. No act that has been passed by this Senate has ever been perfect, especially something as challenging as health care, and we will make changes to make it work. But the worst thing we could do is for the Senate to turn its back on children and say: You don't deserve to have coverage if you have a preexisting condition or turn our back on older citizens who fought our wars, worked in our factories, taught our children, gave us a middle class, and gave us and younger generations life and love and helped us in so many ways and say to them: You know what. You can be on your own when it comes to prescription drug coverage.

That is the Affordable Care Act. But unfortunately this isn't just a debate about the act. Now we are getting into a debate about some people in Washington wanting to use the Affordable Care Act as a political weapon in other contexts. They say if they do not have a repeal of or a defunding of the Affordable Care Act, that somehow they think a government shutdown would be the right way to go or that we would default on our obligations.

Of course, I and many others don't believe that is the right way to go; in essence, in the case of the debt limit, holding the debt limit hostage to a re-litigation of the Affordable Care Act. That is dangerous for the economy, but I think it is also very bad for those families I just mentioned.

This debt limit crisis that is ahead of us, just as the end of the fiscal year crisis is ahead of us, is manufactured. We don't need to have a crisis on the debt ceiling, but it is being manufactured to make a political point by some in Washington. Not all Republicans agree with this, certainly not around the country but even here in Washington. But some seem to believe this is the right way to go.

This is the kind of edge-of-the-cliff brinkmanship we saw in 2011, which had a substantial—and I think this is irrefutable—adverse impact on the economy. The Dow dropped 2,000 points because of the last debt ceiling debate, a debate which resulted in us getting an agreement at the very last minute, not going over the deadline. But some apparently think it is a good idea to default on our obligations for the first time since 1789.

What does that mean for most Americans? If we have the Dow drop 2,000 points or maybe lower, if we actually go over the deadline, it means a loss of savings for Americans. It may not affect people in the Senate who are wealthy or people in the Senate who have job security and health care security and everything else, but it will hurt a lot of Americans, and it will crater the savings of Americans if that happens.

An adverse credit rating, another adverse consequence, means more expen-

sive credit for everyone. It translates into higher costs for housing, education, and other critical household expenses. Local governments would also bear the burden of a lower credit rating—a drop in the credit rating of the United States—which makes every project that much more difficult and expensive.

I ask unanimous consent to have printed in the RECORD a Wall Street Journal op-ed entitled “Uncertainty Is the Enemy of Recovery,” dated April 28, 2013, and written by Bill McNabb, the CEO of Vanguard.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Apr. 28, 2013]

UNCERTAINTY IS THE ENEMY OF RECOVERY

(By Bill McNabb)

Anyone hoping for signs of a healthy economic recovery was disappointed by lower-than-expected GDP growth for the first quarter of 2013—a mere 2.5%, far short of the forecast 3.2%. Meanwhile, the stock market continues to soar, hitting record levels in recent weeks. It's a striking disconnect, and one that is discouraging and confusing for Americans as they seek to earn a living and save for the future.

Companies and small businesses are also dealing with the same paradox. Many are in good shape and have money to spend. So why aren't they pumping more capital back into the economy, creating jobs and fueling the country's economic engine?

Quite simply, if firms can't see a clear road to economic recovery ahead, they're not going to hire and they're not going to spend. It's what economists call a “deadweight loss”—loss caused by inefficiency.

Today, there is uncertainty about regulatory policy, uncertainty about monetary policy, uncertainty about foreign policy and, most significantly, uncertainty about U.S. fiscal policy and the national debt. Until a sensible plan is created to address the debt, America will not fulfill its economic potential.

Uncertainty comes with a very real and quantifiable price tag—an uncertainty tax, so to speak. Over the past two years, amid stalled debates in Washington and missed opportunities to tackle the debt, the magnitude of this uncertainty tax has gotten short shrift.

Three economists, Stanford University's Nicholas Bloom and Scott Baker and the University of Chicago's Steven Davis, have done invaluable work measuring the level of policy uncertainty over the past few decades. Their research (available at policyuncertainty.com) shows that, on average, U.S. economic policy uncertainty has been 50% higher in the past two years than it has been since 1985.

Based on that research, our economists at Vanguard isolated changes in the U.S. economy that we determined were specifically due to increases in policy uncertainty, such as the debt-ceiling debacle in August 2011, the congressional supercommittee failure in November 2011, and the fiscal-cliff crisis at the end of 2012. This gave us a picture of what the economy might look like if the shocks from policy uncertainty had not occurred.

We estimate that since 2011 the rise in overall policy uncertainty has created a \$261 billion cumulative drag on the economy (the equivalent of more than \$800 per person in the country). Without this uncertainty tax, real U.S. GDP could have grown an average 3% per year since 2011, instead of the recorded 2% average in fiscal years 2011-12. In

addition, the U.S. labor market would have added roughly 45,000 more jobs per month over the past two years. That adds up to more than one million jobs that we could have had by now, but don't.

At Vanguard we estimate that the spike in policy uncertainty surrounding the debt-ceiling debate alone has resulted in a cumulative economic loss of \$112 billion over the past two years. To put that figure in perspective, the Congressional Budget Office estimates that sequestration may reduce total funding by \$85 billion in 2013. Clearly, the U.S. debt situation is the economic issue of our generation.

But it's not just about the numbers. Every time lawmakers seemingly get close to a deal that will restore fiscal responsibility but instead fail, we at Vanguard hear the concerns of investors. They ask: How does this affect my retirement fund? What about my college savings account? How does this affect my taxes? Would I be better off putting my savings under the mattress?

Investor anxiety is a critical component in all of this. We'd be foolish to take comfort in the strength of recent stock-market performance. Until the U.S. debt issue is resolved for the long term, market gains and losses will be built on an unstable foundation of promises that cannot be kept.

Developing a credible, long-term solution to the country's staggering debt is the biggest collective challenge right now. It should be America's biggest collective priority, too. Any comprehensive deficit reduction must take on the imbalance between revenues and expenditures as a share of GDP. That means entitlement reforms, spending reductions and additional tax revenues.

This does not have to be about European-style "instant austerity." Because the U.S. dollar is the world's reserve currency, America doesn't have to balance the budget tomorrow.

The key is to provide clarity to businesses, financial markets and everyday savers and investors. Make no mistake: A comprehensive, long-term, binding plan that brings the budget into balance over a reasonable time frame is essential. If Washington fails to achieve one, the consequences will be harsh.

The good news is that if reform is enacted, and the costly pall of uncertainty is lifted, the U.S. economy has the potential to bounce back, creating the growth and jobs that are so badly needed. I am confident that our leaders in Washington can make it happen.

Mr. CASEY. I will not read the article, but I was certainly struck by it. Obviously, the author talks about this problem of uncertainty and what it causes. In support of his op-ed he mentioned the work done by two economists in measuring and calculating the cost of this uncertainty.

Here is what they concluded just as it relates to the uncertainty that results from a debt ceiling battle:

At Vanguard we estimate that the spike in policy uncertainty surrounding the debt-ceiling debate alone has resulted in a cumulative economic loss of \$112 billion over the past two years.

This is what Bill McNabb, who is someone who knows something about markets and related issues, said in April of this year.

So there is a 2-year impact of \$112 billion because of a politically motivated and manufactured crisis, because some people want to make a political statement about the debt ceiling,

which puts the economy at risk. I hope that some folks come to their senses because we can have and should have debates about reducing spending in a bipartisan fashion, how to reduce spending the way a business does, how to reduce spending the way a family does. But does it make any sense to do this kind of high-wire act? This is very dangerous for the economy.

This isn't theoretical. We had a dry run, unfortunately. We had a rehearsal of this in 2011. We didn't go over the line, we didn't default, but we came very close. We came within days of defaulting. Getting close to that alone had an adverse impact on the economy.

So to say this is fiscally reckless is a vast understatement. I don't know how to express it beyond saying that. To say that it is dangerous for the economy, for jobs, for families, for the middle class, for companies all over the country; to say that to default on our obligations or coming close to that—playing with fire, in a sense—to say that is dangerous is an understatement.

Here is what we should do: We should stop the games and the fiscal high-wire act, and we should focus on what middle-class families want.

When I go home to Pennsylvania, they say to me in a couple of short words what they want me to do: Work together to create jobs. Work together to create the conditions for growth, whether that is tax credits or tax policy, whether it is efforts to jump-start the economy.

One of the more depressing charts I have seen in 6 months or maybe even 6 years is a chart that was in the New York Times called "A Shifting Economic Tide," dated July 25, 2013. It depicts the change in income from 1995. There is a long line going up and down with spikes and then the line going down. But the two most relevant numbers here are the comparison between the top 1 percent during the recession and then in the recovery. The top 1 percent got hit pretty hard, as a lot of people did. Even the very wealthy got hit. They lost a little more than 36 percent of their real income. But in the recovery, even though they lost 36 percent, they are up plus-11 in the recovery. So they went down by 36, but they are up plus-11. So they are still not back yet.

But what happened to the bottom 90 percent—not the top 1 percent, but what happened to the bottom 90 percent in the recession and recovery? According to this chart, the bottom 90 percent lost 12 percent of their real income, but they are still at minus 1.5. They haven't even gotten to zero. They haven't even gotten to positive territory yet when you compare their real income in the recession and the hit they took and where they are today.

So what does that mean for us? It means that both parties have a lot of work to do. It means that both parties should be working together to create more jobs and create more economic

certainty instead of playing this game, which is dangerous, fiscally reckless for sure, and very damaging to the economy and even the morale of the country. They want us to work together. They don't want us to play a games like some want to play here.

I appreciate the fact that we are having a debate about the Affordable Care Act. It is very important to have that debate and make sure we get the implementation right. But we should not be using the Affordable Care Act as a political weapon in these debates about our fiscal policy. I believe we can do that in a rational way as long as people are willing to set aside their political ideology for a short period of time so we can resolve some of these issues.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, what is the pending parliamentary business?

The PRESIDING OFFICER. S. 1392 is pending.

Ms. MIKULSKI. Are there any amendments that need to be set aside?

The PRESIDING OFFICER. No, there are not.

NAVY YARD TRAGEDY

Ms. MIKULSKI. Mr. President, I am going to speak from the heart—a heavy heart—because six Marylanders died at the Navy Yard on Monday.

I join with all Americans in expressing my deepest condolences to all of the families of those killed and injured in the Navy Yard shooting, and I particularly express my condolences to the Maryland families.

I also thank our first responders, including the local and Federal law enforcement officers who were first to arrive at the scene and took control of this terrible, horrific situation. I thank the doctors and all the support staff at MedStar trauma center who worked so hard to help the injured and saved lives that day and every one of those who played such an important role in responding to that emergency.

My heart goes out to the victims and the families and to everyone who is mourning the loss of the men and women who died there. This has deeply affected those of us in Maryland, as it has those in nearby Virginia and the District of Columbia. But for us in Maryland, this is whom we mourn, a cluster of people, the dead, the shooting victims. This is Maryland and Virginia—hands across the Potomac—and we just can't believe it.

We think of Kenneth Bernard Proctor. He was 46 years old. He was a civilian utilities foreman at the Navy Yard. He worked for the Federal Government for 20 years. He lived in Charles County and married his high school sweetheart in 1994. They have two boys, now teenagers. He loved his sons and the Redskins.

Then there was Sylvia Frasier, who was 52 years old. She was a resident of Maryland and one of seven children. She studied computer information systems at Strayer College. She received

an undergraduate and her master's degree in computer information systems. She worked hard to get her education, and she wanted her education to work hard for America. She had worked at the Navy Sea Systems Command since 2000, and she worked a few nights a week at Walmart as a customer service manager, helping her family, paying off student debt. Sylvia really was a remarkable person.

Then there is Frank Kohler. He was 50 years old. He lived in a community called Tall Timbers, MD. And we certainly say that Frank was a tall timber when it came to working for his country. He too was a computer specialist. He worked as a contractor for Lockheed Martin. He was a graduate of Pennsylvania's Slippery Rock College, where he met his wife Michelle. He was president of the Rotary Club and was honored for his Rotary Club work. Down in southern Maryland, in St. Mary's County, they have an oyster festival that is coming up. He held the title "King Oyster" for his community service and organizing the Rotary Club's annual festival to raise money for the much needed Rotary Club Challengers. He was a great family man and loved by many.

There is John Roger Johnson, who was a civilian employee for the Navy who lived in Derwood, MD, for more than 30 years. He was the father of four daughters and a loving grandfather. His 11th grandchild is due in November. Like so many who live in our community, he loved the Redskins. His neighbors described him as smart, always had a smile, and was always there for his neighbors.

Then there is Vishnu Pandit, who was 61 years old. He came from India in his early twenties. He lived with his wife Anjali in North Potomac, MD. He was the father of two sons. He was well liked in his community and was known for helping people and particularly those who are part of the Indian heritage community in Maryland. He was known for talking about job opportunities, educational opportunities, and was a strong advocate for them. He was proud of his heritage from his mother country, but he was proud of being a citizen of the United States of America.

Richard Michael Ridgell, 52 years old, was a father of three. This guy, though, was a Ravens fan. When the Ravens came into Baltimore at No. 1, he bought season tickets and has owned them for the last 17 years. He grew up in a community called Brooklyn, MD, but settled in Carroll County in Westminster. He was a Maryland State trooper before he came to work in Federal service, a brave guy, and someone who really liked to protect and defend people in many ways.

Those are six of the 13 who died, and there are those who are recovering. It is just a heavy heart we have. In the wake of yet another senseless tragedy and mass casualties, I hope we do take action to end this kind of senseless act

of violence that takes innocent lives in our communities. I hope we do something about it.

There are those who are calling for renewed background checks, and I support that, and renewed efforts to get guns out of the hands of dangerous people, and I support that. But there are also people who suffer from mental illness. This case is currently under investigation, so I am not going to comment on the person we know did this horrific act and the struggles he had with the demons inside of him. I just know we have to come to grips with problems. Yes, background checks are one thing, but really—and this is where I truly agree with the NRA—we have to do something about mental illness and early detection and early treatment.

We mourn for those whose lives were lost on Monday. We mourn for their families. And we hope now that out of this something positive grows. But I want to say to their families that today is not really the day to talk about public policy. The men and women who were at that Navy Yard were Federal employees. They worked hard every single day. They were proud to work for the U.S. Government. They were proud to do everything from IT service to security service. Some had master's degrees, some had a high school education. Whatever their education, whatever ZIP Code they came from, they really served one Nation and one flag.

I acknowledge their tremendous service to this country. I also acknowledge the wonderful way they were involved with their families and their communities. And on behalf of all of Maryland, I know Senator CARDIN and I express our deepest gratitude to them for their lives and express our heartfelt sympathy and condolences.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank the Senator from Maryland for her beautiful remarks on behalf of her constituents and their families. Our thoughts and prayers are with the families. I also thank her for her thoughts on some of the policy ramifications that come out of the terrible tragedy. I know the Senator stands by those families as she has stood by so many military families in the State of Maryland.

I ask unanimous consent that Senator BROWN follow me after my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, I rise today in support of the Energy Savings and Industrial Competitiveness Act of 2013. I believe the beneficial role that energy efficiency improvements can have for consumers and also for industrial competitiveness often gets overlooked in today's debate about energy policy. When I travel around my State I am always hearing from businesses and manufacturers

about the importance of keeping energy affordable. That is why it is so important we are having this debate and that we are looking at taking real steps on meaningful energy legislation.

This legislation will help consumers save money on their utility bills and help our businesses be more competitive. Minnesota has long been an example of leadership in energy policy, with the 25 by 25 renewable energy standard. Our largest energy provider, Xcel Energy, agreed to a 30-percent standard by 2020. So we have been one of the leading States in a bipartisan way. This bill was signed by Governor Pawlenty, then-Governor Pawlenty, with strong bipartisan support in our State legislature. I would say it was also as a result of other things, but I would say it certainly has not hurt our economy. We have one of the lowest unemployment rates. We are at 5.2 percent. It came out today the Twin Cities had its biggest year in the last year of any year in terms of economic gain.

Minnesota is also leading the way with a 1.5-percent energy efficiency standard. Each year our utilities work with consumers and businesses to find ways to save energy and reduce waste from energy efficiency improvements, much like those contained in the Shaheen-Portman bill.

I believe we need an "all of the above" plan to get serious about building a new energy agenda for Minnesota, a plan that helps businesses compete in the global economy, preserves our environment, and restarts the engine that has always kept our economy going forward; that is the energy of innovation.

Although Senators may differ on the specific details of an "all of the above" energy plan, I believe we can find broad agreement that energy efficiency, as we see in this bill, must be a part of any plan. Senators SHAHEEN and PORTMAN have produced a very good bill that I strongly support, but I also know there are many good ideas, many of them bipartisan, that promote energy efficiency, and I thank them for the opportunity to build on their legislation to boost energy efficiency.

One goal that I share with my friend and colleague from North Dakota Senator HOEVEN was to find new opportunities to engage the nonprofit community in making energy efficiency improvements.

I spoke briefly on the Senate floor earlier in the week about this important issue. When faced with the choice, nonprofits including hospitals, schools, faith based organizations and youth centers often make the decision to delay or forgo improvements in energy efficiency to help stretch budgets and serve more people.

But we know investing in energy efficiency improvements today can lead to savings over time that go beyond the cost of the initial investment. So it is a difficult question. Should we do a little less for a year or two so that upgrades can be made to our heating system so that we can use the long term

savings to protect our ability to serve well into the future?

That is why I introduced the Nonprofit Energy Efficiency Act as an amendment with Senator HOEVEN, and we have the support of Senators BLUNT, PRYOR, RISCH, SCHATZ, and STABENOW.

Our amendment, which is fully offset, would provide \$10 million each year for the next 5 years to create a pilot grant program so that non-profits can save through energy efficiency. We worked with stakeholders to ensure that grants will achieve significant amounts of energy savings and are done in a cost effective manner. The grants would require a 50 percent match so that there is complete buy in from the nonprofits, and grants would also be capped at \$200,000.

Our amendment has the support of National Council of Churches, the YMCA of the USA, and the Union of Orthodox Jewish Congregations.

I ask unanimous consent that these letters of support for the Nonprofit Energy Efficiency Act be included in the RECORD.

I again thank Chairman WYDEN and Ranking Member MURKOWSKI as well as Senator SHAHEEN and Senator PORTMAN for their tireless efforts to move this important legislation forward.

I urge my colleagues to support the Klobuchar-Hoeven amendment, the Nonprofit Energy Efficiency Act, and also support the underlying Shaheen-Portman legislation.

I want to raise another important energy issue that I have worked on this year that impacts nearly every family, business, and industry in America—and that is the price of gasoline.

This past May in Minnesota in just one week we saw gas prices spike 40 cents higher per gallon and over 80 cents higher over the course of one month.

We know that this sharp spike in prices was caused when a number of refineries that serve Minnesota and the region went offline for both scheduled and unscheduled maintenance, in part to prepare for summer fuel blends.

I understand the need to adjust for seasonal gasoline blends and perform upgrades to protect worker safety and make necessary repairs. But scheduled, routine maintenance should not be an excuse for major gasoline shortages and steep price spikes.

Gas prices in Minnesota have subsided after setting records this spring of over \$4.25 a gallon, but we know refinery outages will continue to have significant impacts, disrupting commerce and hurting consumers, small businesses and farmers if we do not act.

That is why I introduced the Gas Price and Refine Capacity Relief Act of 2013 with Senators HOEVEN, FRANKEN, and DURBIN. Our bill requires refineries give advance warning of any planned outage and immediate notification for any unplanned outage.

This information would serve as an early warning system and protect con-

sumers from paying the price at the pump when there are production problems within the refining industry. With more transparency—and more lead time—fuel retailers will have the opportunity to purchase fuel at prices that better reflect the underlying costs of crude oil and better reflect supply and demand across the country.

When we had this recent increase you couldn't explain it by supply and demand. We had ample supplies. Demand was down. The only reason we could find, besides perhaps speculation, was these refineries that had planned closures. What we are trying to do is create an early warning system and I appreciate the bipartisan support for this bill.

The bill would also require the Secretary of Energy look at the potential for additional refined fuel storage capacity in our region. Minnesota has less storage capacity for refined products than other parts of the country and that makes us more vulnerable to the kinds of refinery outages we've experienced this year—both planned and unplanned—that led to dramatic spikes in the price of gas.

I thank Chairman WYDEN for holding a hearing on this issue in July. Although this amendment will not come up for a vote as a part of the bill being considered by the Senate, I look forward to continue working on this issue so we can prevent another unnecessary spike in gas prices like we saw in Minnesota this spring.

Most people wouldn't tie the last issue I wish to discuss today to energy policy. But just ask any power company or construction crew across the country, or even operators of ice skating rinks in Minnesota and you would quickly learn about the growing national problem of metal theft and it must be addressed.

I have filed my bipartisan bill, the Metal Theft Prevention Act, to the energy efficiency bill to bring attention to metal theft. I introduced it last February with Senators HOEVEN, SCHUMER, GRAHAM, and COONS.

The bill is the much-needed Federal response to the increasingly pervasive and damaging crime of metal theft.

Metal theft has jumped more than 80 percent in recent years, hurting businesses and threatening public safety in communities throughout the country. Metal theft is a major threat to American businesses, especially to power companies. In a recent study, the U.S. Department of Energy found that the total value of damages to industries affected by the theft of copper wire is approximately \$1 billion each year.

Across the country, copper thieves have targeted construction sites, power and phone lines, retail stores, and vacant houses. They've caused explosions in vacant buildings by stealing metal from gas lines, and they've caused blackouts by stealing copper wiring from streetlights and electrical substations. Thieves are even taking brass stars from our veterans' graves. On Me-

morial Day in 2012, thieves stole more than 200 bronze star markers from veterans' graves in Minnesota.

In another case that shows just how dangerous metal theft can be, Georgia Power was having a huge problem with thieves targeting a substation that feeds the entire Atlanta-Hartsfield International Airport, one of the busiest airports in the world. The airport was getting hit 2 to 3 times a week and surveillance didn't lead to any arrests.

Last winter, at a recreation center in St. Paul thieves stole \$20,000 worth of pipe from the outdoor ice rink, causing the center to close until local businesses donated labor and materials to make the repairs.

This rise in incidents of metal theft across the country underscores the critical need for Federal action to crack down on metal thieves, put them behind bars and make it more difficult for them to sell their stolen goods.

Our Metal Theft Prevention Act will help combat this growing problem by putting modest record-keeping requirements onto the recyclers who buy scrap metal . . . limiting the value of cash transactions . . . and requiring sellers in certain cases prove they actually own the metal . . . The amendment also makes it a Federal crime to steal metal from critical infrastructure and directs the U.S. Sentencing Commission to review relevant penalties.

This amendment respects State law. Our intention is not to preempt State laws, so if a State already has laws on the books regarding metal theft, they would not apply the Federal law.

I realize that the majority of cases will likely continue to be handled by State and local law authorities, but the Federal government needs to be a strong partner, and the Metal Theft Prevention Act will send the clear message that metal theft is a serious crime.

The Metal Theft Prevention Act has been endorsed by the National Rural Electrical Cooperatives, American Public Power Association, APPA, American Supply, Edison Electric Institute, National Electrical Contractors Association, National Association of Home Builders, National Retail Federation, U.S. Telecom Association, and about a dozen other businesses and organizations.

It also has the support of the major law enforcement organizations—Major Cities Police Chiefs, Major County Sheriffs, National Sheriffs, Fraternal Order of Police and the National Association of Police Organizations. I would love to just bring this bill to the Senate after I have gotten it through the committee already in Judiciary, unanimously, but there are people still holding it up.

The Metal Theft Prevention Act will not come to a vote in relation to the bill currently pending before the Senate, but it must be a priority. We need to do everything we can to protect our critical energy industry infrastructure from unscrupulous metal thieves. And,

I hope my colleagues will support the Metal Theft Prevention Act as well when it does come before the full Senate.

Again, I commend Senator SHAHEEN and Senator PORTMAN on their legislation to encourage energy efficiency. The bill would save consumers and taxpayers money through reduced energy consumption, help create jobs, make our country more energy independent, and reduce harmful emissions.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEPTEMBER 17, 2013.

Senator AMY KLOBUCHAR,
Senator JOHN HOEVEN,
Washington, DC.

DEAR SENATORS, We write to you on behalf of our organizations, to express our strong support for a bipartisan amendment (#1940) you have sponsored toward the Energy Savings and Industrial Competitiveness Act (S.1392; sponsored by Senators Shaheen and Portman and supported by ENR Committee Chairman Wyden and Ranking Member Murkowski.

Amendment 1940 will create a pilot grants program in the Department of Energy to award limited, but impactful, matching grants to nonprofit organizations to make their buildings more energy efficient. It authorizes \$10 million per year for the next 5 fiscal years (importantly the funding is fully offset by reallocating other DoE spending). The pilot program will provide grants of up to 50% of a nonprofit's building energy efficiency project, with a maximum grant of \$200,000.

Such a program is much needed. According to the U.S. E.P.A., nonresidential buildings in the U.S. consume more than \$200 billion annually in energy costs. The United States is also home to 4000 Boys & Girls Clubs, 2700 YMCAs, 2900 nonprofit hospitals and more than 17,000 museums. These buildings also account for a significant portion of annual greenhouse gas emissions. Many of the energy efficiency incentive or support programs that have been in place the past several years have been structured in the form of tax credits and rebates. Nonprofits—being tax exempt entities—have not been able to take advantage of these programs. Moreover, nonprofit entities are often least able to surmount the “front end” investment cost of efficiency retrofits.

The Klobuchar-Hoeven amendment, based upon S.717, received consideration in the Senate Energy Subcommittee earlier this year. It is good public policy that enjoys bipartisan support and the support of a broad coalition of nonprofit organizations. We urge you to support Amdt. 1940's inclusion in the Shaheen Portman legislation.

Thank you,

Association of American Museum Directors, The Baha'is of the United States, Evangelical Lutheran Church in America, Friends Cmte. on Nat'l Legislation (Quakers), Gen'l Conf. of Seventh Day Adventists, Jewish Federations of North America, National Council of Churches, Sojourners, Union of Orthodox Jewish Congregations, U.S. Conference of Catholic Bishops, YMCA of the U.S.A.

SEPTEMBER 12, 2013.

DEAR SENATOR: The YMCA of the USA is the national resource office for the 2,700 YMCAs in the U.S. The nation's YMCAs engage 21 million men, women and children—of all ages, incomes and backgrounds—with a focus on strengthening communities in youth development, healthy living, and so-

cial responsibility. YMCAs are led by volunteer boards and depend upon the dedication of their 550,000 volunteers for support and strategic guidance in meeting the needs of their communities.

We are writing to express our support for an amendment, #1856, sponsored by Senators Klobuchar and Hoeven, to the Energy Savings and Industrial Competitiveness Act, S. 1392.

The amendment creates a pilot grants program in the Department of Energy that awards limited, but important, matching grants to nonprofit organizations to make their buildings more energy efficient. It authorizes \$10 million per year for the next five fiscal years and is fully offset by reallocating other DOE spending.

The U.S. EPA has found that nonresidential buildings consume more than \$200 billion in energy costs. Many of the energy efficiency programs are structured as tax credits and rebates. Because nonprofits are tax exempt organizations they have not been able to take advantage of these programs. In addition, many nonprofits don't have the financial resources to invest in energy efficient retrofits. This amendment would help nonprofits significantly cut energy costs.

The Klobuchar-Hoeven amendment is sound public policy and has both bipartisan support and broad support among nonprofit organizations. Please support including this amendment in S. 1392, the Shaheen, Portman legislation.

Thank you,

NEAL DENTON,
*Senior Vice President
and Chief Govern-
ment Affairs Officer,
YMCA of the USA.*

THE JEWISH FEDERATIONS
OF NORTH AMERICA,
Washington, DC, September 12, 2013.

DEAR SENATOR: It is our understanding that the Senate will commence consideration this afternoon of the Energy Savings and Industrial Competitiveness Act of 2013 (S. 1392). In this regard, we wanted to share with you our strong support for Amendment Number 1856 filed by Senators Klobuchar and Hoeven.

This amendment would establish an energy efficiency pilot program for nonprofit institutions. The Jewish Federations of North America, one of North America's oldest, largest and longest-serving health and social services network supports this amendment for the following reasons:

—JFNA has a long history of public private partnerships and working with Congress to promote innovations and efficiencies in nonprofit human services delivery. As such, we endorse the Klobuchar-Hoeven amendment as a timely and necessary pilot program to assist nonprofits to become more energy efficient and environmentally responsible.

—JFNA is comprised of 153 Jewish Federations and 300 independent Jewish communities. Within our umbrella, we support and operate thousands of agencies (i.e., schools, community centers, hospitals, health centers, day care facilities, museums, and more) that serve millions of individuals and families within most major population centers across the country. Many of our institutions are several decades old—some were built more than a century ago. The need for these institutions to upgrade and retrofit antiquated and unreliable operating systems is great.

—As nonprofits, we know only too well the importance of creating energy efficiencies to our bottom line—to ensure that we maximize the use of philanthropic dollars to best serve the most vulnerable populations and to

maintain healthy and vibrant communities across the country. We also know the power and opportunity that is created through congressionally-derived pilot projects. They help to shed needed light on issues of importance to the country. They help to galvanize support for needed public policy shifts. They help to bolster and promote positive change within the nonprofit sector. In this regard, Amendment Number 1856 would provide an important catalyst for energy improvements and modernization within the nonprofit sector.

Comprehensive energy efficiency reform cannot succeed without Congress also addressing the issues facing the nonprofit sector. With your support, Senate adoption of Klobuchar-Hoeven Amendment 1856 would be a needed bi-partisan improvement to S. 1392.

Sincerely,
ROBERT B. GOLDBERG,
Senior Director, Legislative Affairs.

UNITED STATES CONFERENCE
OF CATHOLIC BISHOPS,
Washington, DC, September 12, 2013.

Senator AMY KLOBUCHAR,
U.S. Senate, Washington, DC.
Senator JOHN HOEVEN,
U.S. Senate, Washington, DC.

DEAR SENATOR KLOBUCHAR AND SENATOR HOEVEN: I write in support for your amendment (#1856) to the Energy Savings and Industrial Competitiveness Act (S. 1392). This amendment reflects the policy of your bill, S. 717, The Nonprofit Energy Efficiency Act, which was endorsed by our Committee on Domestic Justice and Human Development.

As our committee chair noted back in June, this amendment would “establish a pilot program at the U.S. Department of Energy to provide grants to non-profit organizations to help make the buildings they own and operate more energy efficient.”

I would like to thank both of you for championing innovation in energy policy and ask that your colleagues support your amendment.

Sincerely,
JAYD HENRICKS,
Executive Director.

ASSOCIATION OF
ART MUSEUM DIRECTORS,
Washington, DC, September 13, 2013.

Hon. AMY KLOBUCHAR,
Hon. JOHN HOEVEN,
U.S. Senate, Washington, DC.

DEAR SENATORS KLOBUCHAR AND HOEVEN, On behalf of the Association of Art Museum Directors, its members and board of trustees, I write to express our strong support for the bipartisan amendment (#1856) that you have sponsored to the Energy Savings and Industrial Competitiveness Act (S.1392), which would create a pilot grants program in the Department of Energy to award limited, but impactful, matching grants to nonprofit organizations to make their buildings more energy-efficient.

Many of the energy efficiency incentive or support programs that have been in place the past several years have been structured in the form of tax credits and rebates. As nonprofits we have not been able to take advantage of these programs. Your amendment would give museums, schools, houses of worship and other nonprofit institutions the opportunity to make our systems more energy-efficient and thereby allow us to reduce our energy costs. In our case, the cost savings will go into programs that museums offer to the public.

The grants program would be particularly useful to the museum field, because many of our institutions are in large buildings that are many decades old and were not designed to modern efficiency standards.

Thank you for your leadership on this important piece of legislation.

Sincerely,

CHRISTINE ANAGNOS,
Executive Director.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH POLICY

Mr. BROWN. I thank the senior Senator from Minnesota for her words and especially work on this bill and the consumer issues. She has made a real name in this body for her work.

I rise today to discuss the most significant reform of our Nation's health policy in decades. The Affordable Care Act is a result of extensive policy discussions, late-night deliberations, 400 amendments that we considered in the Health, Education, Labor, and Pension Committee, more than 100 of those amendments that we adopted coming from Republican ideas and Republican Senators. There is a reason that people across the country, mothers and fathers and students and faith leaders and business owners and workers, are paying attention. It is because the law benefits all Americans, a wide range of Americans and especially in my home State, which I will discuss.

More than 900,000 people in Ohio will be eligible for financial assistance to buy insurance that provides good coverage at a price they can afford. Ohioans suffering from preexisting conditions will no longer be denied coverage or charged higher premiums. Young Ohioans stay on their parents' plan until the age of 26, giving them a chance to finish school and secure a job that provides coverage.

Those with the greatest need will get the greatest help. For years we have heard countless stories, story after story of Americans frustrated by and failed by our health system. Last fall my wife Connie was waiting in line at the local drugstore in an affluent community outside of Cleveland. The woman in front of her was, for all intents and purposes, negotiating price with the pharmacist to save money. "What if I cut my pill in half and then take it twice a day," she asked. The very understanding pharmacist wanted her to take her full medication twice a day.

"But isn't it better, since I can't afford this, to take half a pill twice a day than the whole pill just once," she asked.

After the woman left my wife asked how often does this happen? The pharmacist answered, "Every day, every day all day."

The tide is turning. I hear from constituents at roundtables, in restaurants, in letters and tweets and e-mails about their concerns for their family's health. A woman in Cuyahoga Falls, a community near Akron, explained to me she recently graduated

law school. She is a type 1 diabetic. Without the health care law she would have been paying out of pocket for extremely costly lifesaving medication because she could not afford it on her own.

I can imagine, she said, there are many Ohioans like me, working hard for my future but finding myself in a tough demanding spot while still needing to care for my health needs. Health care enrollment marks a milestone for millions of Ohioans, including myself. Twenty years ago I was running for Congress and made a promise in 1992 that I would not accept congressional health care; I would pay my own health insurance, until similar coverage was available to all Americans. I did that for well over a decade. I can now say I will be enrolling in the health care marketplace, alongside hundreds of thousands of people from Ohio. While millions will be able to enroll in benefits beginning in less than 2 weeks, the health care law has already provided measurable benefits.

I wish to share how Ohioans are already helped by provisions in this law signed by the President 3 years ago. There are 97,000 young adults who are now able to stay on their parents' health insurance until their 26th birthday. We are closing the doughnut hole. The Senator from Pennsylvania mentioned what that means for his State. There are similar numbers in Ohio. Closing the doughnut hole for seniors' prescription drugs saves Ohioans an average of \$774 a year on medication benefits.

There are 6,300 Ohioans who receive rebates from their insurance companies because those companies failed to follow the new Federal law that required them to spend at least 80 to 85 percent—depending on the kind of insurance—of their premium dollars on health care. In other words, if these companies spend more than 15 percent of your dollar that you pay to these insurance companies on marketing, executive salaries, and various kinds of administrative expenses, they owe you money back because not a high enough percent—85 percent—of your health care dollar was spent on health care itself.

There are 900,000 Ohioans who have received free preventive care, with no copays and no deductibles. Seniors have been tested for osteoporosis, diabetes, and all the other kinds of screenings that seniors should get.

Children are no longer denied coverage for preexisting conditions. My wife was diagnosed with asthma at a young age—way before I knew her. She might have been denied coverage today. She, and young people like her at that stage in their life, cannot be denied coverage for preexisting conditions such as asthma, diabetes, cancer or whatever they might have.

Soon all Ohioans will have access to quality, affordable health care. In 2014, we will see all aspects of this health care law fully implemented, which will

make a huge difference for business—especially small businesses—families, and communities.

From Ashtabula to Athens, from Bryan to Bellaire, from Mansfield to Middletown, middle-class families across Ohio have been in the horrible position of paying monthly premiums only to find they were stripped of coverage or that the coverage was so minimal as to be useless when they became sick. That worry will no longer exist.

For students at Ohio State or Wooster, Youngstown State or Xavier, the choice between paying for another semester at school or health insurance will not be the concern it has been for so many years. For Ohioans from Cleveland to Cincinnati already covered, they can keep their current plan without lifting a finger. The only change they will see are new benefits, better protections, and more bang for their buck. For millions in my State, the new law will mean less worry, less anxiety, and more money in their wallets.

For some Americans, the health insurance marketplace will lower premiums at least 10 percent more than previously expected. Work needs to be done. The system is not perfect, but this law is already bringing our health care into the future. It is a forward-looking law. I have been proud to support it.

On October 1, frustrations, worry, and failed health care protections will soon become a thing of the past for millions in my State and tens of millions around the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I wish to speak for a few minutes in support of the bill currently before the Senate, S. 1392, the Energy Savings and Industrial Competitiveness Act of 2013.

It has taken a long time for this bipartisan legislation to make it to the floor of the Senate, and I commend Senators SHAHEEN and PORTMAN, as well as Senators WYDEN and MURKOWSKI, and all of their staffs for their hard work.

Energy efficiency doesn't grab headlines in the same way as fracking or nuclear reactors or even renewable energy policies for wind and solar, but this bill is good, solid policy that will shrink energy bills for families and businesses. It is exactly the kind of legislation the Senate should be working on, and I urge my colleagues to support it.

This bill strengthens and updates the voluntary building codes States and tribes can adopt in order to determine and meet targets for energy efficiency and continues to strengthen the Federal Government's efforts to reduce energy use.

As the Nation's largest energy consumer, the Federal Government can play a significant role in helping to provide a market for innovation in energy-efficient technologies and in turn

reduce our Nation's CO₂ emissions while also saving taxpayers money. This is the kind of policy everyone should be able to agree to. The bill also provides resources to train workers on energy-efficient building design and operation, a crucial component of making sure advances in energy efficiency translate into real, well-paying jobs. In addition, the bill provides incentives for more energy-efficient manufacturing and the development and deployment of new technologies.

Finally, the bill would establish a Supply Star Program which will help provide support to companies looking to improve the efficiency of their supply chains. This program could be particularly helpful to Hawaii, where transportation of goods from the mainland and other places can be very costly.

While individually these provisions may sound like modest proposals or changes, when taken together, the policies in this bill make significant progress toward reducing energy costs. That is good for consumers and businesses, driving innovation, reducing environmental harm, and positioning the United States as a leader in clean energy technology and jobs.

It goes without saying that the cost of energy is an important consideration for families and businesses across our country. When energy costs go up, they can be a drag on the economy. We see this very clearly in Hawaii, where we are uniquely impacted by the price of oil.

In 2011, Hawaii's energy expenditures totaled \$7.6 billion—almost equal to 11 percent of our entire State economy. In addition, no other State uses oil to generate electricity to the extent we do in Hawaii. As a result, we have electricity prices that average 34 cents per kilowatt hour. That is over three times the price on the mainland.

Moreover, 96 percent of the money we spend on energy leaves our islands to buy oil from places outside of Hawaii. That is money that could be better used to create jobs, bolster paychecks or to make investments in Hawaii's future.

Obviously, our State's energy security and economic potential is severely undermined by a reliance on fossil fuels. While breaking that reliance is a challenge, it is also an opportunity. Hawaii has set some of the Nation's most aggressive goals for generating renewable energy and improving energy efficiency. We are working to show that renewable energy and energy efficiency technologies are not just good for the environment, they can be an engine for economic growth and innovation. That is what makes the Energy Savings and Industrial Competitiveness Act such an important bill. At its core, this legislation is about updating Federal energy efficiency policies to better meet the needs of today's marketplace.

For example, updating voluntary building codes will give States and

tribes the opportunity to reduce their energy use while also giving the private sector signals that there will be demand for innovation. The use of energy savings performance contracts is an example. Energy savings performance contracts are private agreements that make energy and water efficiency retrofits more affordable. A third-party company covers the cost of the upgrade, and it is repaid over time from the resulting savings in energy costs.

Thanks to the State of Hawaii's commitment to improving energy efficiency, Hawaii is the Nation's No. 1 user of energy savings performance contracts. In fact, just a few weeks ago the State of Hawaii was awarded the Energy Services Coalition's Race to the Top Award which recognizes the State's commitment to pursuing energy savings through performance contracting. This is the second year in a row that Hawaii has won this award.

These are the types of innovative financing models and partnerships that can happen when there is clear, sustained demand for improving energy efficiency.

Another aspect to keep in mind is that even something as unglamorous sounding as improving building codes or advancing energy-efficient construction techniques can have a profound impact on the lives of families across the country.

In 2011, Hawaii's first net-zero affordable housing community of Kaupuni Village opened on Oahu. The 19 single-family homes and community center at Kaupuni Village were constructed to maximize energy efficiency and use renewables to achieve net-zero energy performance. The development has earned a LEED Platinum status. Each home in the community was designed with optimal building envelope design, high-efficiency lighting, natural ventilation, solar water heating, and ENERGY STAR appliances.

Kaupuni Village also provides affordable homes to Native Hawaiians—a population that has faced many challenges in achieving independence, home ownership, and economic success. These homes were completed at an average cost of less than half the median sales price of homes on Oahu, which are some of the Nation's highest home costs.

Thanks to technical assistance from the National Renewable Energy Lab, or NREL, this partisanship between the Department of Hawaiian Homelands, Hawaiian Electric Company, the State of Hawaii, and private and Federal partners is a model for other communities.

Homeowners in Kaupuni Village are able to conserve energy and save money by optimizing their high-tech homes while also maintaining a lifestyle firmly rooted in traditions that go back thousands of years.

Homeowner Keala Young described her new life at Kaupuni Village by saying:

We grow our own vegetables. We raise our own fresh-water tilapia.

We are passionate about net-zero living. There is so much pride in our home and our community. We feel we can be an example to others.

These are the types of stories I imagine every Member of the Senate wants to tell in order to help bring about stories of strong communities, happy, vibrant families, and new opportunities that create a bright future.

The Energy Savings and Industrial Competitiveness Act is bipartisan legislation that can help to make those stories real for more people in Hawaii and across the country.

I urge my colleagues to join me in supporting this bill.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

MCC COMPACT FOR EL SALVADOR

Mr. LEAHY. Mr. President, on September 12 I made a statement in this Chamber about the vote earlier that day by the board of directors of the Millennium Challenge Corporation to approve a second compact for El Salvador.

As I said then, that vote was expected, and it began the final phase of discussions between the United States and El Salvador on a compact which, if funded, could result in investments totaling \$277 million from the United States and \$85 million from El Salvador.

I share the view of the MCC board that the compact, if implemented fully, would improve the lives of the Salvadoran people, but I also noted that when the MCC was established a decade ago it was not intended to be just another foreign aid program. Rather, an MCC compact provides a kind of stamp of approval by the United States indicating that the government of the compact country has demonstrated a commitment to integrity, to good governance and respect for the rule of law, and to addressing the needs of its people. I said this should be doubly so for a second compact.

While El Salvador can point to some success in these areas, it remains a country of weak democratic institutions where the independence of the judiciary has been attacked, corruption

is widespread, and transnational criminal organizations and money laundering have flourished. Nobody knows this better than the Salvadoran people.

I urged the MCC, the Department of State, and the Government of El Salvador, prior to a final decision to provide the funds for a second compact, to do more to address these problems which is necessary for the rule of law and economic growth in that country. Regrettably, rather than acknowledge the need to address these problems more convincingly, the reaction of top Salvadoran officials was to accuse me of being “misinformed” about their country and of meddling in their affairs. They reacted similarly when U.S. Ambassador Aponte expressed some of the same concerns.

For over 20 years, I have been a friend of El Salvador. I actively supported the negotiations that ended the civil war. I worked to help El Salvador recover from that war, and I supported the first MCC compact which was financed with \$461 million from the Appropriations subcommittee that I chair. I obtained emergency funding to help that country rebuild after devastating floods. And over the past decade I have watched as the Salvadoran people were victimized by increasing levels of crime and violence, a corrupt police force, and some individuals in positions of authority who cared more about enriching themselves or protecting their privileges than improving the lives of the people. So it is disappointing that Salvadoran officials reacted as they did to my remarks last week.

As I said then, I appreciate that MCC CEO Yohannes, U.S. Ambassador Aponte, and other State Department officials have echoed some of the concerns I have raised.

The budget of the Millennium Challenge Corporation, which I have long supported, and the funds for a second compact for El Salvador—for those who may not be aware or have forgotten—comes from the Congress. It should not be taken for granted.

I hope President Funes and his government will reconsider their response to these concerns—for the good of the Salvadoran people and if they want a second MCC compact to be funded.

REMEMBERING BRIGADIER GENERAL DOUGLAS KINNARD

Mr. LEAHY. Mr. President, I would like to take a moment to pay tribute to retired BG Douglas Kinnard, a former University of Vermont professor and retired general officer who passed away on July 29 of this year at the age of 91.

Long before I came to know General Kinnard, he had built a reputation as a wise and thoughtful soldier. Respected for his leadership and integrity on and off the battlefield, he honorably served our country in three wars, including two tours in Vietnam, despite his misgivings about American strategy and

involvement in the conflict. Having graduated from the U.S. Military Academy at West Point on D-day during World War II, Douglas Kinnard rose to the rank of brigadier general before retiring from the Army to pursue his doctor of philosophy at Princeton University.

It is no surprise given his intellect and objectivity that when he went searching for his first faculty job, he found a home at the University of Vermont. Those who have worked with General Kinnard have praised him as an imposing figure that was “always open and fair” and an “enjoyable colleague” who taught his students about real patriotism from his own experience.

I am grateful that the University of Vermont was able to benefit from the many gifts General Kinnard brought with him to his work in Burlington and throughout the country. Marcelle and I send our condolences to his wife Wade and son Frederick. I will miss his steady counsel, which he provided me throughout my Senate career. The many soldiers, students, and colleagues who were fortunate to have known him throughout his long and industrious life will not soon forget his impact.

The Burlington Free Press recently paid tribute to General Kinnard and his many contributions. I ask unanimous consent that a recent Free Press article entitled “Remembering UVM prof., ex-Army general Douglas Kinnard” be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, Aug. 7, 2013]

THE TWO ACCOMPLISHED CAREERS OF DOUGLAS KINNARD, 1921–2013

(By Tim Johnson)

In 1977, midway through his faculty career at the University of Vermont, ex-Army man Douglas Kinnard was invited to appear on “Good Morning America” to talk about the Vietnam War with his former commanding officer, William Westmoreland.

The appearance preceded the publication of Kinnard’s book, “The War Managers,” which drew on a detailed survey Kinnard had sent to all the American generals in Vietnam in 1974, a year before U.S. forces finally withdrew. The survey revealed, among other things, that about 70 percent of the generals thought the war’s objectives were unclear, and that more than half thought the war shouldn’t have been fought with American troops.

Mark Stoler, a UVM historian who knew Kinnard, recalls watching the show and thinking that Westmoreland looked uncomfortable while Kinnard remained unruffled. “He just sat there, smiling,” said Stoler, who recalled that Kinnard had “an incredibly sharp mind” and was eminently clear-headed about that controversial episode in American military history.

Kinnard, who died of pneumonia last week in Pennsylvania at age 91, spent about a decade in UVM’s Political Science Department during the 70s and 80s, in what for him was a second career following 26 years as an Army officer and service in three wars. He won the respect of his UVM peers partly because of his intellect: He did, after all, com-

plete his Ph.D. work at Princeton in just three years, following his retirement in 1970 as a brigadier general.

“Very capable, very serious,” said Garrison Nelson, professor of political science. “A remarkably well-organized guy. A good teacher and a relatively high grader, as I recall. I have very fond memories of Doug.”

Kinnard was also prolific. His first book on President Eisenhower, an adaptation of his doctoral thesis, was also published in 1977. “The Secretary of Defense” also came out during his UVM tenure, in 1980, and he wrote about Vietnam again later in “The Certain Trumpet: Maxwell Taylor and the American Experience in Vietnam.”

Among Kinnard’s eight books were two memoirs, the first of which details his life’s remarkably humble beginnings. “Abandoned” by a broken family at age 4 and placed in an orphanage in Paterson, N.J., he was moved into a boarding house after several months and raised by an extended Catholic family.

“He had to take care of himself,” said his son, Frederick Kinnard, in a phone interview. “He was an adult before age 5. He lived with an old Irish spinster above a saloon.”

Kinnard made his way through Paterson’s St. Joseph Grammar School and Eastside High, became an Eagle Scout, and eventually won an appointment to West Point. He didn’t aspire to be a soldier, he told an interviewer in 1977, but chose West Point partly because it was close to home.

“It was a good way to go to college,” he said. “I really wasn’t thinking about a military career.” The Army became his career, however, with a series of promotions. He graduated on June 6, 1944—D Day—and was dispatched to Europe where, as an artillery lieutenant and forward observer, he was awarded the Bronze Star for Heroic Achievement. During the Korean War, he served in an artillery unit, and later was assigned to the Pentagon and to NATO headquarters in France.

Kinnard did two tours in Vietnam. The first, beginning in 1966, was as chief of operations analysis under Gen. Westmoreland. When he returned to the United States he was promoted to brigadier general, but he was having doubts about the war and mulling a career in academia. Of the war, he told an interviewer for the Princeton Independent in 2004:

“The more I dealt with [the war and U.S. strategy], the more skeptical I became, especially about the assumption underpinning [General] Westmoreland’s and American strategy: that if we punished the enemy enough, he would negotiate an end favorable to us. I was convinced that we really did not understand the enemy or his motivations, or even his strategy. The premise that our punishment would bring us victory was to build a strategy on a house of cards.”

Kinnard wanted to retire but the Army refused and sent him to Vietnam again, in 1969, this time commanding artillerymen. The Independent interviewer asked him how he felt about being sent back to Vietnam, given his doubts about the war.

“You must understand that I had already applied for retirement, and that was turned down,” he said. “So when the decision was made that I would definitely go back, then I had to concern myself with my job and not worry about my personal feelings. As Commanding General of Force Artillery, I commanded eight thousand troops in sixty firebases from the Cambodian border to the South China Sea. I had to visit those people daily and get involved in the planning, so I had to toss my personal feelings—gone! Nothing can stand in the way of the welfare of your troops. Your job is to defeat the enemy; your job is to take care of your

troops and keep your casualties down. And that's what I did."

Later in that tour he served as chief of staff of the Second Field Force and aided in planning of the Cambodian incursion of 1970, which incited fierce protests in the United States. The U.S. bombing of Cambodia that had preceded that operation was unknown to him, he said, as it was to the American public.

After he returned home he retired and headed to Princeton as a 48-year-old graduate student. He didn't conceal his military background but didn't advertise it either. When he started looking for a faculty job, he impressed his interviewers at the University of Vermont.

"He was an imposing presence," said Stoler, who shared with Kinnard a scholarly interest in military history.

"I remember Professor Kinnard as a very professional and enjoyable colleague," said Frank Bryan, who retired from UVM recently as a political science professor. "Our areas of expertise were different, of course, but I can say he was a very good 'department citizen'—always open and fair and collegial."

Nancy Viens was Kinnard's secretary at UVM for two years. She typed "The War Managers" for him.

In the beginning, she said, "I was very intimidated about working for a 6-foot general from the Army. I'd signed (anti-war) protest petitions and all that."

He surprised her, though, telling her, "I'm not your average run-of-the-mill general."

"He turned out to be one of the nicest people I've ever known," she said, adding that he kept in touch with her for years after they both left UVM. Of the Vietnam War debates, she said, "He had sympathy for both sides. He did his job as a general and then he got out."

In the Independent interview, Kinnard was asked what he taught UVM students about the Vietnam War.

"I taught them that it was a war that should not have been fought," he said. "It should not have gone past the advisory effort. I traced for them all the presidential decisions that were made, going from Truman all the way up through Nixon, and showed how each one led to another. But those decisions were made at political levels; the generals had no part in them."

He acknowledged that patriotism could take many forms, and that the war opponents had done the country "a great service."

Following their joint appearance on "Good Morning America," Kinnard told the Independent interviewer, Westmoreland gave him a ride to Laguardia Airport, and Kinnard gave Westmoreland a copy of his book.

"Well, God, he called me for a whole week, asking, 'Who said this?' and 'Who said that?'" Kinnard recalled. "I said, I can't tell you that, General Westmoreland," because I had promised the respondents anonymity. I went away to Maine for a week, and the book arrived in the mail with his notes written on damn near every page."

After Kinnard left UVM, he continued lecturing and writing, holding positions at the University of Oklahoma, Naval War College, National Defense University and University of Richmond. In 1994, President Clinton appointed him to the American Battle Monuments Commission and he helped plan the World War II memorial on the National Mall.

"He wasn't a retiring type," Frederick Kinnard said.

"Doug Kinnard had the wonderful facility of being highly knowledgeable and impeccably honest," said Sen. Patrick Leahy, D-Vt., in an email. "I've relied on his good judgment for years. Marcelle and I were sorry to learn of his passing and send condo-

lences to his family." Besides his son, Douglas Kinnard is survived by his wife, Wade Tyree Kinnard. He will be buried at West Point Aug. 15.

GRAMEEN BANK

Mr. LEAHY. Mr. President, I want to take a moment to speak about troubling actions by the Government of Bangladesh against the Grameen Bank.

Founded in 1983 by Professor Mohammed Yunus, the Grameen Bank has been a model of the immense potential of microfinance for economic development. By providing small loans to the world's poorest people who possess the skills but not the financing needed to start a small business, microcredit institutions have shown to be successful in promoting the most effective means of poverty reduction, the empowerment of women. The Grameen Bank, about which volumes have been written, has been a leading example of these successful borrower-owned banks, and the model has spread from Bangladesh throughout Southeast Asia and beyond.

The proposal of the Government of Bangladesh to dissolve the Grameen Bank into 19 separate entities would curtail one of the best mechanisms for reducing poverty in Bangladesh. This radical restructuring would fragment Grameen's governance structure, essentially rendering it powerless. It would move ownership of the bank from the people with a vested interest in its success to an assortment of agencies with no legal relationships with the public.

The force behind the efforts to weaken the Grameen Bank is none other than Prime Minister Sheikh Hasina, who has clashed with Professor Yunus since the latter won the Nobel Peace Prize in 2006 and expressed interest in running for public office himself. Threatened by Professor Yunus' popularity, the Prime Minister has tried for years to undermine his authority and influence.

The Grameen Bank has been targeted by the government-created Grameen Bank Commission, and Prime Minister Sheikh Hasina was instrumental in Yunus' removal from his position as Grameen's managing director through an age mandated retirement although no such mandate exists for the country's private banks. Most recently, the government has accused several microcredit companies founded by Professor Yunus of failing to pay taxes, which he has denied as baseless. The Prime Minister's vendetta against Professor Yunus seems to have no limit.

I want to echo the sentiments of my friend Senator DURBIN who has spoken about this, as well as 17 Senators, who sent a letter to Prime Minister Sheikh Hasina last year. I join them and leaders of goodwill around the world in supporting the Grameen Bank and Professor Yunus. They have been bright spots in one of the world's poorest countries whose own nationalized banks are failing.

Millions of Bangladesh's poorest people, particularly women, need access to the credit the Grameen Bank provides. Rather than continue to persecute Professor Yunus, the Prime Minister and her government should learn from his example and redirect their efforts to helping improve the lives of the people they have a responsibility to serve.

TRIBUTE TO THE LYNN FAMILY

Mr. LEAHY. Mr. President, I would like to bring to the attention of the Senate a notable family whose work has made a unique and meaningful contribution to the Vermont newspaper community and to our State. The Lynn family runs several Vermont newspapers, reporting local news and serving general commerce in these communities.

In 1984, Angelo Lynn bought the Addison County Independent, marking the beginning of a family newspaper operation based out of Middlebury, VT. Today, Angelo's three daughters have joined a five-generation newspaper tradition, each taking on a different Vermont town newspaper. With Elsie running the Colchester Sun and the Essex Reporter, Polly running the Mountain Times in Killington, and Christy working side by side with her father overseeing the advertising sales team of the Addison County Independent, the Lynn family reports stories Vermonters depend on.

While some of the biggest newspapers struggle, local papers are thriving, and the Lynn family has embraced the opportunity to influence the future of the newspaper industry. Focusing on local government, events, schools, sports and businesses, the Addison County Independent is a vital piece of the community it serves. It is personal and caring, and it reflects what matters to the residents of the community.

I congratulate Angelo Lynn on the success of his family-run newspaper operation. Mr. Lynn, his daughters, and his brother Emerson have harnessed local newspapers to strengthen our Vermont communities. I have included the New York Times article "Vermont Sisters with Roots in News Embrace Small-Town Papers" that covers each Lynn family member's individual story. I ask that the text of this article, dated August 15, 2013, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

VERMONT SISTERS WITH ROOTS IN NEWS EMBRACE SMALL-TOWN PAPERS

(By Christine Haughney)

MIDDLEBURY, VT.—King Lear's three daughters had their lands and loyalties to fight over. Jane Austen's Dashwood sisters had the prospect of marriage to occupy them, and Anton Chekhov's three sisters had local military officers to brighten their days.

None of them ever contemplated a future as risky as newspapers.

For a long time, neither did the Lynn sisters, even though they are a fifth-generation newspaper family. Polly, Christy and Elsie

Lynn left behind their father's dusty but cozy newsrooms for college and careers.

Now they are back. Elsie, 26, moved home in 2010 after she ran out of money while working and traveling through Asia. She manages two of her father's weeklies in the Burlington suburbs of Colchester and Essex.

Polly, 29, returned in 2011 from Denver, and has thrown herself into running the weekly newspaper in Killington, the popular ski town. Christy, 28, moved back in June after her boyfriend finished graduate school in Vancouver. She helps her father, Angelo, running the business side of Middlebury's paper, *The Addison County Independent*.

It is conventional wisdom that newspapers are a fading enterprise. Last month, the Tribune Company bought 19 local television stations even as it sought to sell its portfolio of papers, and twice in August, big-city papers changed hands: *The New York Times* sold *The Boston Globe* and other properties for \$70 million, after paying \$1.1 billion for *The Globe* 20 years ago, and the Graham family said it would sell *The Washington Post* after eight decades of ownership.

But instead of fleeing the newspaper business, the Lynn sisters have embraced it, and not just because it is part of their heritage.

"I've grown up in the papers," said Elsie Lynn. "But I don't think that's the reason I'm in it. The future is exciting for me. We have this chance and this opportunity to be pioneers and change our career and change this industry."

The papers the Lynn sisters help run have been surprisingly profitable. They have not faced bankruptcy like newspapers of the Tribune Company including *The Los Angeles Times* and haven't cut coverage like *The Times-Picayune* of New Orleans. In these parts of Vermont, where Internet connections are less reliable and winter snowstorms can block roads for days, readers often prefer print.

Mr. Lynn said that he had run his newspapers debt-free for a decade. While his papers aren't making money yet from their digital efforts, his newspaper and phone book businesses generate about \$4.5 million in gross revenue.

"We can't afford not to make money," Mr. Lynn said as he sat in his office here surrounded by photographs of his daughters, the family dogs dozing loudly nearby. "There's no future losing money in any of these papers."

It helps that Mr. Lynn has a long history in the business. His great-grandfather, Charles Scott, bought *The Iola Register* in Kansas in 1882. Mr. Lynn was raised upstairs from the offices of another nearby Kansas paper called *The Humboldt Union*. In 1984, Angelo Lynn bought *The Addison County Independent* in Vermont and started building up his chain of papers. Mr. Lynn's older brother, Emerson, owns two papers with his wife, Suzanne, and Angelo as well as two other Vermont papers.

Angelo Lynn speaks fondly of the newspaper life. He spends his weekends hiking and skiing with his daughters and weekdays churning out enterprising local journalism.

"Once you become part of a community, you see the good that a paper does," Mr. Lynn said. "That's very fulfilling." His daughters' newspaper futures were less certain. When Elsie Lynn arrived at the newsroom of *The Colchester Sun* and *The Essex Reporter*, she had never studied journalism or held a journalism job. She wasn't convinced she wanted to work with her father and uncle.

"I've said, 'Man, I don't know, Dad, if this is what I want to do,'" she said as she sat in her threadbare newspaper office in a converted stable space on the outskirts of Colchester. "He said 'No pressure.'"

She settled in, typing up wedding announcements, but before long her father asked her to review the papers' finances. Elsie discovered they were owed \$120,000 from advertisers. In three months, she collected \$90,000. She also saved her father labor costs by absorbing multiple job titles. Elsie said she often logged 13-hour days writing and editing stories and promoting them on social media.

Polly Lynn was living in Colorado working for an educational tour company with her partner, Jason Mikula, when her father received an offer to buy *The Mountain Times* in Killington. Mr. Lynn asked the couple, who were already thinking of moving, to come to Vermont to run it. The couple took over in September 2011 just as Hurricane Irene hit and Killington was hit with some of the storm's worst flooding. She produced the first editions from her father's dining room table.

Since then, Polly said, she has kept a non-stop schedule of publishing deadlines and has designed a hyper-local news app for Killington. She spends evenings attending town planning meetings and winters skiing with sources and advertisers.

There has already been a payoff. Polly and Mr. Mikula increased the paper's revenue by 15 percent, or about \$100,000, by improving editorial content and strengthening its advertising relationships, according to Mr. Lynn.

Mike Miller, a Killington business owner and former selectman, said local businesses appreciated the couple's forthright approach: when they made early mistakes on advertisements, they admitted they were wrong, fixed them and even offered to make more creative advertisements. They also appreciate the couple's efforts to participate in the community.

"I'm just amazed at their energy," Mr. Miller said. "If there's something that there are going to be more than 10 people there, they cover it."

In some ways, Christy Lynn had the toughest transition. While her sisters work at papers an hour's drive from their father, she works steps away from him. Her father focuses on editorial content, and she oversees the advertising sales team and comes up with new promotions.

She has accomplished some small coups. She realized that the *Waterfalls Day Spa* in Middlebury was promoting itself on social media but did not advertise much in the paper. So she persuaded the owners to advertise more in both the paper and online. Mr. Lynn said that advertising revenue grew 6 percent in this year's first quarter under Christy's watch.

Gary Greene, a newspaper sales broker, said successful community newspapers shared specific traits. Unlike larger newspapers, local community papers have little debt and don't depend heavily on classified advertising. They hire enough employees to report on town meetings and sports events and publish material people can't find elsewhere. They are in county seats, where they receive legal notices and advertisements from local businesses.

Mr. Greene, who sits on the boards of small newspaper chains nationwide and sees their financial statements, says those qualities are critical to profitability.

"These papers have all made money through the downturn," Mr. Greene said. "What other business categories are doing 15 to 20 percent margins? Most businesses would love to make that kind of money."

For now, newspaper analysts say these papers' futures remain promising as long as they remain the sole information source. Alan D. Mutter, a newspaper consultant who writes the *Reflections of a Newsosaur* blog,

said that there was still value in information like school lunch menus and high school sports scores.

"Weeklies in healthy communities that do a good job reporting on local news and serving local businesses are by far the healthiest of publications," he said.

"The Messenger has been in business for 150 years," said Emerson Lynn, referring to one of his Vermont papers, *The St. Albans Messenger*. "Do I think Google is going to be in existence for 150 years? Not a chance."

It's unclear how long the Lynn sisters will work in newspapers. While Mr. Lynn has made no succession plans, he also doesn't want to sell. While some of the nation's largest papers are being sold for a small fraction of their purchase price, the market for smaller community papers is healthier. Mr. GREENE, the newspaper broker, said that this year his company closed eight deals with 23 publications, nearly double the sales volume in 2011 and 2012. And the resale value of smaller newspapers—the deals worth less than \$20 million—is higher than that of bigger papers and chains.

It also helps that the Lynn family seems committed to the business. In March, Angelo and his wife, Lisa Gosselin, invited his brood and their partners and dogs for dinner at his home, a renovated camp building on Lake Dunmore. Dinner conversation revolved around food, skiing and newspapers. Polly warned her father to expect calls of complaint about a forthcoming article.

None of them talked about how long they would remain in the business. But long after they finished their dessert of poached pears and blueberry pie, they lingered at the table to chat. Before they left, Elsie remembered that *The Colchester Sun* was sponsoring a cold-water dive into Lake Champlain.

"Who is going to jump in the lake with me?" she asked.

There was a flurry of reporterlike questions: "How cold is the water? When is it?"

But one by one, they all agreed to take the plunge.

TRIBUTE TO JIMMY ROSE

Mr. McCONNELL. Mr. President, I rise to pay tribute to a Kentuckian who has become a hero to many in my home state and across the country for his honest and moving portrayal of life in southeastern Kentucky. I am speaking of Jimmy Rose, the man from Pineville who has risen to fame this summer for his appearances on the television show "America's Got Talent" and his performance of the hit song "Coal Keeps the Lights On."

Last night, millions of Americans tuned in to see Jimmy's performance in the final round of the competition, held in New York City. I know I speak for thousands of Kentuckians when I say that no matter what the outcome tonight, he is truly a winner in our hearts, and his original song is a winner with people all over.

Jimmy is a U.S. Marine Corps veteran who learned how to play guitar from a fellow marine while deployed in Iraq. He has worked as a coal miner and he himself wrote the song "Coal Keeps the Lights On" to raise awareness about how excessive regulations are hurting jobs in his hometown and in the coal industry.

Coal is part of a vital energy sector in the State of Kentucky. But Jimmy

is tired of seeing coal mining jobs disappear from Pineville, from his native Bell County, and from the region. I agree with him, 100 percent.

From Jimmy's first appearance on "America's Got Talent" earlier this summer, he became a phenomenon. People could identify with the words he sang, and they could identify with his courteous disposition and steadfast character as the trademarks of the people of southeastern Kentucky. Fans across the country have happily supported, voted for, and sung along with Jimmy Rose.

I commend Jimmy Rose for putting a face on a problem that is all too often overlooked by some in Washington—the plight of the coal miner and the many hard-working Kentuckians whose jobs are related to the coal industry. In these difficult economic times, we should be doing everything we can to protect these jobs and protect a way of life for thousands of families.

I think Jimmy's message is an important one. And I want to congratulate Jimmy Rose for all his success to date. I am certain that we will be hearing much more from him in the years to come.

TRIBUTE TO REAR ADMIRAL MARK D. GUADAGNINI

Mr. MCCAIN. Mr. President, today I honor a superb leader, aviator, and American. After more than 33 years of service to a grateful nation, RADM Mark D. Guadagnini is retiring from the United States Navy and his position as the Director of U.S. Fleet Forces Command's Maritime Headquarters. On this occasion, I believe it is fitting to recognize Rear Admiral Guadagnini's years of distinguished service and dedication to fostering the relationship between the military and this Chamber.

Rear Admiral Guadagnini is a 1980 distinguished graduate of the U.S. Naval Academy. Over the course of his career, he participated in six combat Operations, including Desert Storm, Provide Comfort, Deliberate Force, Southern Watch, Enduring Freedom, and Iraqi Freedom, accumulating almost 5000 hours of flight time and accomplishing nearly 100 combat missions. He has led at the highest levels of operational aviation command at Strike Fighter Attack Squadron 15, Carrier Air Wing 17, and Carrier Strike Group NINE.

In addition to his impressive accomplishments at sea, he was also one of our most well-rounded officers, serving as a test pilot, flag aide, fleet staff officer, manpower distribution officer, a Capitol Hill liaison, and, not coincidentally, as one of my first and best legislative fellows 20 years ago. While in the flag ranks, Rear Admiral Guadagnini leveraged his expertise serving as the chief of Naval Air Training; head of Human Resources for the Naval Aviation Enterprise; Deputy Commander for Fleet Management at U.S. Fleet

Forces Command, and lastly, as the director of Maritime Headquarters at U.S. Fleet Forces Command.

I could not be prouder of the accomplishments that "Guad" has earned while wearing the uniform of the world's greatest fighting force. His impact, particularly in the aviation community, will continue well into the future and our navy and nation will feel his absence. I wish him and his whole family "fair winds and following seas."

TRIBUTE TO DR. MILTON RUSH

Ms. LANDRIEU. Mr. President, today I ask my colleagues to join me in recognizing the distinguished teacher and agricultural scientist, Dr. Milton C. Rush. Dr. Rush devoted his career to his students, his research, and his tireless efforts to protect and enhance one of our most important sources of nutrition.

Dr. Rush began his career in rice pathologies in 1970 as a professor at Louisiana State University after receiving a doctor of philosophy degree in plant pathology from North Carolina State University. For the next 40 years at Louisiana State University, Dr. Rush has provided the agricultural community with invaluable research on rice pathology that has greatly benefited farmers throughout the State of Louisiana and the Nation. Under his leadership, the LSU rice program experienced its greatest years of agricultural research expansion and development. Through his years of service as an educator and pathologist, Dr. Rush created enduring changes in a wide breadth of research and direction to impact and improve the lives of countless students, rice growers and consumers within and throughout his community.

Perhaps Dr. Rush's greatest accomplishment came in his development of a new rice variety, which he named after his beloved wife, Blanca Isabel. This new high-yielding, early harvest, long-grain rice variety was the culmination of decades of research focusing on the epidemiology and control of rice diseases, rice tissue transformation, and the breeding of disease-resistant rice strains. This new purple rice is bred in Louisiana and contains anti-inflammatory and anti-oxidant properties. His outstanding development of a more healthful and nutritious variety of rice will continue to provide unparalleled benefits to the citizens and communities of Louisiana and the Nation, delivering an improved alternative for generations to come.

Dr. Rush has been honored frequently during his distinguished career. Among these honors are the Florence Avalon Daggett Professorship in Rice Pathology, the LSU AgCenter's Distinguished Service Award, the Sedberry Award for outstanding graduate professorship, memberships to the American Phytopathological Society, the Rice Technical Working Group, the Germplasm Advisory Committee, and

two terms as president of the Louisiana Plant Protection Association Constitution Committee. Dr. Rush's career leaves a legacy of accomplishment and dedication to his family and all those who are a part of the agricultural communities that his tireless work impacted.

Dr. Rush has been and continues to be an inspiration to all those who have benefited from his decades of service to the field of rice pathology. It is with my heartfelt and greatest sincerity that I ask my colleagues to join me along with Dr. Rush's family in recognizing the life and many accomplishments of this incredible mentor, professor, and agricultural scientist, as well as his lasting impact throughout the Nation.

AIR FORCE 66TH BIRTHDAY

Mr. CARDIN. Mr. President, today—September 18—marks the Air Force's 66th birthday. For 66 years, our Nation has entrusted the Air Force with preserving peace and freedom, and defending our democracy. Since its beginnings on July 26, 1947, when President Harry Truman signed the National Security Act of 1947 on board the presidential aircraft, the Sacred Cow, and set the creation of the United States Air Force in motion, to its instrumental role in the wars of Iraq and Afghanistan, the Air Force has always served America admirably and I have every confidence that it will continue in this proud tradition.

The Air Force tracks its origins back to 1907, when the Wright Brothers conducted the world's first airplane flight over the sands of Kitty Hawk, NC. Just like the Wright Brothers whose innovation spurred aviation, the vast success and numerous achievements of the Air Force would not be possible without the talented Airmen who fuel innovation today, enabling the Air Force to fly faster, further, and utilize technology that the Wright Brothers could not have imagined over 100 years ago.

Today, the United States Air Force is the largest, most capable, and most technologically advanced air force in the world, with about 5,300 manned aircraft in service, 246 Unmanned Combat Air Vehicles, and 450 intercontinental ballistic missiles. The Air Force prides itself on five core missions; Air and Space Superiority; Intelligence, Surveillance and Reconnaissance; Rapid Global Mobility; Global Strike; and Command and Control. The Air Force's commitment to core missions illustrates its vast capability and has remained steadfast since the Air Force's establishment as a separate service 66 years ago. Our amazing Airmen today are constantly adapting and improving to meet the challenges of a fast-paced security environment and an ever-evolving battlespace across the globe.

The United States Air Force is, and will continue to be, the United States' key asymmetric advantage across the spectrum of conflict. Whether responding to a national security threat, a

natural disaster, or crisis engagements, the Air Force provides Global Vigilance, Global Reach and Global Power to ensure that the U.S. is capable of responding to events around the world. Without the Air Force's supremacy in air, space and cyberspace, the U.S. would not be able to move troops and equipment to war zones, send relief to countries devastated by natural disasters, provide air support to troops on the ground, or gather crucial intelligence through electronic warfare and stealth technology.

But let us not forget the true power behind the Air Force is its Airmen. The Air Force comprises over 330,000 personnel on active duty, 185,000 civilian personnel, and 180,000 in the Air National Guard and Air Force Reserves. These flexible, adaptable, and innovative Airmen employ unmatched air, space, and cyberspace capabilities. Our Airmen today are driven by the ideals of the Warrior Ethos and commit themselves to succeed in any mission our Nation asks of them. Our Airmen believe that our Constitution and the freedom it guarantees are worth fighting for. They sacrifice their personal comfort and safety to answer a higher calling: service in the cause of freedom, both here at home and abroad. I am awed by our servicemen and women's ability to adapt and succeed in a total force mission that at various stages has called upon them to be scholars, teachers, policemen, farmers, bankers, engineers, social workers, and, of course, warriors—often all at the same time.

Above all, I am perpetually thankful for their willingness to serve, and I have the greatest faith in their ability to face the difficult and dangerous missions that lie ahead. These patriots have always been the strength of our Nation. The unwavering dedication to duty, to our country, and to all Americans is embodied in the Air Force vision, "The World's Greatest Air Force—Powered by Airmen, fueled by innovation." For 66 years, our Air Force has been on a mission to protect the skies so that our society may be free. Let us remember our Air Force Airmen for this achievement today, and wish them a happy 66th birthday.

NATIONAL HISPANIC HERITAGE MONTH

Mr. UDALL of New Mexico. Mr. President, September 15 through October 15 is National Hispanic Heritage Month. This is a time to remember and to celebrate the integral role of Hispanic Americans in the economy, culture and identity of our Nation.

In New Mexico, we enjoy a rich Hispanic heritage that goes back over 400 years. Santa Fe, the oldest capital city in the United States, was founded a decade before the Pilgrims arrived at Plymouth Rock. New Mexico has the highest percentage of Hispanics of any State. From the Spanish colonists to immigrants from Latin America, the

Hispanic community has informed our history, our art, and our sense of who we are as a people.

New Mexico is blessed with a blend of cultures and backgrounds like nowhere else. Our State is called the "Land of Enchantment," not just for the beauty of our landscapes but also for the vibrant diversity of our culture.

The annual Spanish Market in Santa Fe is the largest exhibition of traditional Spanish Colonial and Hispanic art in the United States.

New Mexico is home to the National Hispanic Cultural Center, which is the fastest growing cultural institution in our State. The center, located in Albuquerque, is a guardian of Hispanic arts, culture and humanities, reaching people throughout the world.

Like America as a whole, the Hispanic community is itself diverse, representing a rich mosaic of nationalities and backgrounds. Its values of family, faith and hard work are the values that unite all of us as Americans and New Mexicans, and make us both more compassionate and stronger. Indeed, the story of Hispanics is a vital part of the American narrative—of overcoming hardship, of sacrifice, persevering, and helping one another.

During times of war and peace, at home and abroad, the Hispanic community has been a rich part of the fabric of the American story. From the time of the Revolutionary War, Hispanics have fought and died for our freedoms. Forty-one have received the Congressional Medal of Honor, the highest military honor our Nation can bestow. Hispanics continue to contribute in communities throughout the Nation—in business, in education and the arts, and at every level of government service. Their talents and sacrifices are integral to our past, and crucial to our future.

The late Dennis Chavez from New Mexico was the first American-born Hispanic to be elected to the Senate. He was a trailblazer for the people of New Mexico and for the Hispanic community. I am honored to follow in his footsteps and to represent such a diverse State.

This month, as we celebrate the historic achievements and contributions of Hispanic Americans, we should also remember the challenges we face and dedicate ourselves to meeting those challenges. With comprehensive immigration reform, and working together for vital education, health care, and economic development initiatives, let us commit ourselves to ensure that Hispanic families in New Mexico and across the Nation have an equal opportunity to achieve the American dream.

ADDITIONAL STATEMENTS

REMEMBERING DR. PAUL EMERY

• Ms. AYOTTE. Mr. President, today I wish to recognize and honor the late Dr. Paul E. Emery's extensive service

and commitment to the psychiatric community and the people of New Hampshire.

At an early age, Paul knew he wanted to become a psychiatrist. His calling was to help people overcome their challenges, and he did so with great compassion. He was a highly skilled and dedicated doctor who was loved by many.

He trained at Syracuse Psychopathic Hospital, Western New England Psychoanalytic Institute, and Yale University. He was also an NIMH fellow at Austin Riggs Center in Stockbridge, MA. His training was interrupted by the Korean war, during which he was promoted to captain and served as the division psychiatrist and chief of the Mental Hygiene Clinic in the U.S. Army. He received several commendations for his outstanding service.

He started his private practice of psychiatry in Concord, NH, and practiced for more than 23 years. During this time, he was a consultant for Concord Hospital, St. Paul's School, and the Division of Public Health Program on Alcoholism and Drug Abuse. He was also the medical director for the Forensic Unit of the New Hampshire State Hospital. He later became the first medical director and then executive director for the VA's First Center on Stress Recovery in Brecksville, OH. Subsequently, Dr. Emery became chief of psychiatry at the Manchester VAMC. After his retirement from the VAMC, he became staff psychiatrist at Manchester Counseling Services and Elliot Hospital. In addition, he served on the New Hampshire Parole Board.

Dr. Emery had an academic/faculty appointment at Dartmouth Medical School from the 1960s until he retired in 2005. He published about 30 scientific articles and chapters dealing primarily with post-traumatic stress disorder.

He founded the N.H. Psychiatric Society in 1972 and held various chairmanships and offices in that organization, including serving as its president during the 1980s and as chairman of the ethics committee during the 1990s. He was also active in the N.H. Medical Society and was its vice president during the mid-1970s.

Dr. Emery touched so many lives, and I join with citizens across New Hampshire in honoring the many contributions he made to our State and the psychiatric community.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PROPOSED AGREEMENT FOR COOPERATION BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR COOPERATION REGARDING ATOMIC INFORMATION, INCLUDING A TECHNICAL ANNEX AND SECURITY ANNEX (COLLECTIVELY REFERRED TO AS THE "ATOMAL AGREEMENT")—PM 20

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am pleased to transmit to the Congress, consistent with sections 123 and 144 b. of the Atomic Energy Act, as amended (42 U.S.C. 2153 and 2164(b)), the text of the Agreement Between the Parties to the North Atlantic Treaty for Cooperation Regarding Atomic Information, including a technical annex and security annex (hereinafter collectively referred to as the "ATOMAL Agreement"), as a proposed agreement for cooperation authorizing the exchange of U.S. Restricted Data and Formerly Restricted Data within the context of the North Atlantic Treaty Organization (NATO) between the United States of America and the following member of NATO: the Republic of Croatia (hereinafter the "New Party").

In addition, I am pleased to transmit my written approval, authorization, and determination concerning the ATOMAL Agreement with respect to the New Party, with a copy of the memorandum of the Secretary of Defense with respect to the agreement. The ATOMAL Agreement entered into force on March 12, 1965, with respect to the United States and the other NATO members at that time. The Czech Republic, the Republic of Hungary, the Republic of Poland, Spain, the Republic of Bulgaria, the Republic of Estonia, the Republic of Latvia, the Republic of Lithuania, Romania, the Slovak Republic, and the Republic of Slovenia subsequently became parties to the ATOMAL Agreement. The New Party has signed this agreement and has indicated its willingness to be bound by it. The ATOMAL Agreement with respect to the New Party meets the requirements of the Atomic Energy Act of 1954, as amended. Although the ATOMAL Agreement continues in force with respect to the United States and the other current parties to it, it will not become effective as an agreement for cooperation authorizing the exchange of atomic information with respect to the New Party until completion of procedures prescribed by sections 123 and 144 b. of the Atomic Energy Act of 1954, as amended.

For more than 40 years, the ATOMAL Agreement has served as the frame-

work within which NATO and the other NATO members that have become parties to this agreement have received the information that is necessary to an understanding and knowledge of, and participation in, the political and strategic consensus upon which the collective military capacity of the Alliance depends. This agreement permits only the transfer of atomic information, not weapons, nuclear material, or equipment. Participation in the ATOMAL Agreement will give the New Party the same standing within the Alliance with regard to nuclear matters as that of the other current parties to the ATOMAL Agreement. This is important for the cohesiveness of the Alliance and will enhance its effectiveness.

I have considered the views and recommendations of the Department of Defense (DOD) and other interested agencies in reviewing the ATOMAL Agreement and have determined that its performance, including the proposed cooperation and the proposed communication of Restricted Data thereunder with respect to the New Party, will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the ATOMAL Agreement with respect to the New Party and authorized the DOD to cooperate with the New Party in the context of NATO upon satisfaction of the requirements of section 123 of the Atomic Energy Act of 1954, as amended.

The 60-day continuous session period provided for in section 123 begins upon receipt of this submission.

BARACK OBAMA.

THE WHITE HOUSE, September 18, 2013.

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO PERSONS WHO COMMIT, THREATEN TO COMMIT, OR SUPPORT TERRORISM THAT WAS ESTABLISHED IN EXECUTIVE ORDER 13224 ON SEPTEMBER 23, 2001—PM 21

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to per-

sons who commit, threaten to commit, or support terrorism declared in Executive Order 13224 of September 23, 2001, is to continue in effect beyond September 23, 2013.

The crisis constituted by the grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks on September 11, 2001, in New York and Pennsylvania and against the Pentagon, and the continuing and immediate threat of further attacks on United States nationals or the United States that led to the declaration of a national emergency on September 23, 2001, has not been resolved. These actions continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13224 with respect to persons who commit, threaten to commit, or support terrorism.

BARACK OBAMA.

THE WHITE HOUSE, September 18, 2013.

MESSAGE FROM THE HOUSE

At 1:23 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1410. An act to prohibit gaming activities on certain Indian lands in Arizona until the expiration of certain gaming compacts.

H.R. 2449. An act to authorize the President to extend the term of the Agreement for Cooperation between the Government of the United States of America and the Government of the Republic of Korea Concerning Civil Uses of Nuclear Energy for a period not to exceed March 19, 2016.

H.R. 3092. An act to amend the Missing Children's Assistance Act, and for other purposes.

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 793. An act to support revitalization and reform of the Organization of American States, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1410. An act to prohibit gaming activities on certain Indian lands in Arizona until the expiration of certain gaming compacts; to the Committee on Indian Affairs.

H.R. 2449. An act to authorize the President to extend the term of the Agreement for Cooperation between the Government of the United States of America and the Government of the Republic of Korea Concerning Civil Uses of Nuclear Energy for a period not to exceed March 19, 2016; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1513. A bill to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes.

S. 1514. A bill to save coal jobs, and for other purposes.

H.R. 2009. An act to prohibit the Secretary of the Treasury from enforcing the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010.

H.R. 2775. An act to condition the provision of premium and cost-sharing subsidies under the Patient Protection and Affordable Care Act upon a certification that a program to verify household income and other qualifications for such subsidies is operational, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2918. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Food Distribution Program on Indian Reservations: Income Deductions and Resource Eligibility" (RIN0584-AE05) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Indian Affairs.

EC-2919. A communication from the Program Manager, Information Sharing Environment, Office of the Director of National Intelligence, transmitting, pursuant to law, a report entitled "2013 Annual Report to the Congress on the Information Sharing Environment (ISE)"; to the Select Committee on Intelligence.

EC-2920. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Center for Veterans Enterprise, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "VA Veteran-Owned Small Business Verification Guidelines" (RIN2900-AO49) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2013; to the Committee on Veterans' Affairs.

EC-2921. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "VA Health Professional Scholarship and Visual Impairment and Orientation and Mobility Professional Scholarship Programs" (RIN2900-AO34) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2013; to the Committee on Veterans' Affairs.

EC-2922. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Disease Associated with Exposure to Certain Herbicide Agents: Peripheral Neuropathy" (RIN2900-AO32) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Veterans' Affairs.

EC-2923. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a re-

port entitled "Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Second Quarter of Fiscal Year 2013"; to the Committee on Veterans' Affairs.

EC-2924. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Third Quarter of Fiscal Year 2013"; to the Committee on Veterans' Affairs.

EC-2925. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (106); Amdt. No. 3549" (RIN2120-AA65) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2926. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (35); Amdt. No. 3550" (RIN2120-AA65) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2927. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company Turbo Fan Engines" (RIN2120-AA64) (Docket No. FAA-2013-0195) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2928. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Beechcraft Corporation and Hawker Beechcraft Corporation" (RIN2120-AA64) (Docket No. FAA-2012-1180) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2929. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" (RIN2120-AA64) (Docket No. FAA-2012-1038) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2930. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" (RIN2120-AA64) (Docket No. FAA-2012-0637) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2931. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" (RIN2120-AA64) (Docket No. FAA-2012-1321) received in the Office of the President of the Senate on September 9,

2013; to the Committee on Commerce, Science, and Transportation.

EC-2932. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PIAGGIO AERO INDUSTRIES S.p.A. Airplanes" (RIN2120-AA64) (Docket No. FAA-2013-0472) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2933. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Hamilton Standard Division and Hamilton Sundstrand Corporation Propellers" (RIN2120-AA64) (Docket No. FAA-2013-0262) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2934. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eclipse Aerospace, Inc. Airplanes" (RIN2120-AA64) (Docket No. FAA-2013-0448) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2935. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" (RIN2120-AA64) (Docket No. FAA-2013-0207) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2936. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" (RIN2120-AA64) (Docket No. FAA-2013-0361) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2937. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" (RIN2120-AA64) (Docket No. FAA-2013-0362) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2938. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Regattas and Marine Parades in the Captain of the Port Lake Michigan Zone" (RIN1625-AA08) (Docket No. USCG-2013-0327) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2939. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations and Safety Zones; Recurring Events in Northern New England" (RIN1625-AA08; AA00) (Docket No. USCG-2012-1057) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2940. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Tall Ship Safety Zones; War of 1812" ((RIN1625-AA00) (Docket No. USCG-2013-0192)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2941. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Metedeconk River; Brick Township, NJ" ((RIN1625-AA00) (Docket No. USCG-2013-0636)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2942. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Bullhead City Regatta; Bullhead City, AZ" ((RIN1625-AA00) (Docket No. USCG-2013-0260)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2943. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Maritime Heritage Festival Fireworks, St. Helens, OR" ((RIN1625-AA00) (Docket No. USCG-2013-0485)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2944. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Kentucky Air National Guard Vessel for Parachute Rescue Jumpmaster Training, Lake Erie, Dunkirk, NY" ((RIN1625-AA00) (Docket No. USCG-2013-0584)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2945. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Chicago Harbor; Navy Pier Southeast; Chicago, IL" ((RIN1625-AA00) (Docket No. USCG-2013-0320)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2946. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone and Regulated Navigation Area; Chicago Sanitary and Ship Canal, Romeoville, IL" ((RIN1625-AA00, 1625-AA00) (Docket No. USCG-2011-1108)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2947. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Discovery World Fireworks, Milwaukee Harbor, Milwaukee, WI" ((RIN1625-AA00) (Docket No. USCG-2013-0326)) received during adjournment of the Senate in the Office of the President of the

Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2948. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; James River; Newport News, VA" ((RIN1625-AA00) (Docket No. USCG-2013-0670)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2949. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; North Hero Air Show; North Hero, VT" ((RIN1625-AA00) (Docket No. USCG-2013-0497)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2950. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Pacific Northwest Grain Handlers Association Facilities; Columbia and Willamette Rivers" ((RIN1625-AA00) (Docket No. USCG-2013-0011)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2951. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; San Diego International Airport Terminal Two West Grand Opening Fireworks; San Diego, CA" ((RIN1625-AA00) (Docket No. USCG-2013-0637)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2952. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Kuoni Destination Management Fireworks; San Diego, CA" ((RIN1625-AA00) (Docket No. USCG-2013-0666)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2953. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Reporting Requirements for Positive Train Control Expenses and Investments" (RIN2140-AB09) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2954. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Point Thomson, AK" ((RIN2120-AA66) (Docket No. FAA-2012-1175)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2955. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Lexington, OK" ((RIN2120-AA66) (Docket No. FAA-2013-0272)) received in the Office of the President of the Senate on Sep-

tember 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2956. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Energy and Water Use Labeling for Consumer Products Under the Energy Policy and Conservation Act (Energy Labeling Rule)" (RIN3084-AB15) received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2957. A communication from the Legal Advisor, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Speech-to-Speech and Internet Protocol (IP) Speech-to-Speech Telecommunications Relay Services; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CG Docket Nos. 08-15 and 03-123, Report and Order and Further Notice of Proposed Rulemaking" (FCC 13-101) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2958. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Lifeline and Link Up Modernization and Reform" ((RIN3060-AF85) (DA 13-1441)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment:

S. Res. 237. An original resolution authorizing expenditures by the Committee on Foreign Relations.

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. Res. 238. An original resolution authorizing expenditures by the Committee on Health, Education, Labor, and Pensions.

By Ms. CANTWELL, from the Committee on Indian Affairs, without amendment:

S. Res. 239. An original resolution authorizing expenditures by the Senate Committee on Indian Affairs.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. MENENDEZ for the Committee on Foreign Relations.

*Evan Ryan, of Virginia, to be an Assistant Secretary of State (Educational and Cultural Affairs).

*Nisha Desai Biswal, of the District of Columbia, to be Assistant Secretary of State for South Asian Affairs.

*Kenneth R. Weinstein, of the District of Columbia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2014.

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

Scott S. Dahl, of Virginia, to be Inspector General, Department of Labor.

*Richard F. Griffin, Jr., of the District of Columbia, to be General Counsel of the National Labor Relations Board for a term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KIRK:

S. 1515. A bill to amend the Internal Revenue Code of 1986 to improve and expand education savings accounts; to the Committee on Finance.

By Mr. MENENDEZ:

S. 1516. A bill to amend title II of the Public Health Service Act to provide for the establishment and implementation of guidelines on best practices for diagnosis, treatment, and management of mild traumatic brain injuries (MTBIs) in school-aged children, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE:

S. 1517. A bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes; to the Committee on Finance.

By Mr. HATCH:

S. 1518. A bill improving outcomes for youth at risk for sex trafficking, and other purposes; to the Committee on Finance.

By Mr. VITTER:

S. 1519. A bill to ensure orderly conduct of Nuclear Regulatory Commission actions; to the Committee on Environment and Public Works.

By Mr. KING:

S. 1520. A bill to amend the Wild and Scenic Rivers Act to designate segments of the York River and associated tributaries for study for potential inclusion in the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 1521. A bill to prohibit Federal agencies from requiring seafood to be certified as sustainable by a third party nongovernmental organization and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS (for himself and Mr. SCHATZ):

S. 1522. A bill to improve access to oral health care for vulnerable and underserved populations; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself, Mr. BROWN, Mr. HARKIN, and Mr. JOHNSON of South Dakota):

S. 1523. A bill to amend the Internal Revenue Code to make permanent qualified school construction bonds and qualified zone academy bonds, to treat qualified zone academy bonds as specified tax credit bonds, and to modify the private business contribution requirement for qualified zone academy bonds; to the Committee on Finance.

By Mr. COBURN:

S. 1524. A bill to amend the Internal Revenue Code of 1986 to exclude major professional sports leagues from qualifying as tax-exempt organizations; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. McCONNELL, Mr. ALEXANDER, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. BURR, Mr. CHAMBLISS, Mr. CHIESA, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CORNYN, Mr. CRAPO, Mr. FLAKE, Mr. GRASSLEY, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. MORAN, Ms. MURKOWSKI, Mr. RISCH, Mr. ROBERTS, Mr. SESSIONS, Mr. THUNE, Mr. VITTER, Mr. WICKER, and Mrs. FISCHER):

S. 1525. A bill to ensure that the personal and private information of Americans enrolling in Exchanges established under the Patient Protection and Affordable Care Act is secured with proper privacy and data security safeguards; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ:

S. Res. 237. An original resolution authorizing expenditures by the Committee on Foreign Relations; from the Committee on Foreign Relations; to the Committee on Rules and Administration.

By Mr. HARKIN:

S. Res. 238. An original resolution authorizing expenditures by the Committee on Health, Education, Labor, and Pensions; from the Committee on Health, Education, Labor, and Pensions; to the Committee on Rules and Administration.

By Ms. CANTWELL:

S. Res. 239. An original resolution authorizing expenditures by the Senate Committee on Indian Affairs; from the Committee on Indian Affairs; to the Committee on Rules and Administration.

By Mr. MENENDEZ (for himself, Mr. REID, Mr. CORNYN, Mr. BEGICH, Mr. BENNET, Mrs. BOXER, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HEINRICH, Mr. MARKEY, Mrs. MURRAY, Mr. NELSON, Mr. RUBIO, Mr. SCHUMER, Mr. UDALL of Colorado, Mr. WARNER, Mr. HELLER, and Mr. ENZI):

S. Res. 240. A resolution designating the week beginning September 15, 2013, as "National Hispanic-Serving Institutions Week"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 120

At the request of Mrs. BOXER, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 120, a bill to expand the number of scholarships available to Pakistani women under the Merit and Needs-Based Scholarship Program.

S. 131

At the request of Mrs. MURRAY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 131, a bill to amend title 38, United States Code, to improve the reproductive assistance provided by the Department of Veterans Affairs to severely wounded, ill, or injured veterans and their spouses, and for other purposes.

S. 282

At the request of Mr. BEGICH, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 282, a bill to amend the Elementary and Secondary Education Act of 1965 to establish a new counseling program.

S. 283

At the request of Mr. BEGICH, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 283, a bill to amend the Elementary and Secondary Education Act of 1965 to invest in innovation for education.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 439

At the request of Mr. BEGICH, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 439, a bill to amend the Elementary and Secondary Education Act of 1965 by establishing a program to support the modernization, renovation, or repair of career and technical education facilities, and for other purposes.

S. 441

At the request of Mr. BEGICH, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 441, a bill to amend the Elementary and Secondary Education Act of 1965 by establishing a program to provide professional development activities for educators, and for other purposes.

S. 466

At the request of Mr. MENENDEZ, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 466, a bill to assist low-income individuals in obtaining recommended dental care.

S. 502

At the request of Mr. CASEY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 502, a bill to assist States in providing voluntary high-quality universal pre-kindergarten programs and programs to support infants and toddlers.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 582

At the request of Mr. HOEVEN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 582, a bill to approve the Keystone XL Pipeline.

S. 635

At the request of Mr. BROWN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 635, a bill to amend the Gramm-

Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 699

At the request of Mr. CHIESA, his name was added as a cosponsor of S. 699, a bill to reallocate Federal judgeships for the courts of appeals, and for other purposes.

S. 896

At the request of Mr. BEGICH, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 936

At the request of Mr. HELLER, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 936, a bill to increase oversight of small business assistance programs provided by the Small Business Administration.

S. 1078

At the request of Ms. KLOBUCHAR, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1078, a bill to direct the Secretary of Defense to provide certain TRICARE beneficiaries with the opportunity to retain access to TRICARE Prime.

S. 1210

At the request of Mr. CORNYN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1210, a bill to allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students.

S. 1242

At the request of Mr. BROWN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1242, a bill to amend the Fair Housing Act, and for other purposes.

S. 1302

At the request of Mr. HARKIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1302, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide for cooperative and small employer charity pension plans.

S. 1324

At the request of Mr. BARRASSO, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1324, a bill to prohibit any regulations promulgated pursuant to a presidential memorandum relating to power sector carbon pollution standards from taking effect.

S. 1363

At the request of Mr. HELLER, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1363, a bill to protect consumers by prohibiting the Administrator of the Environmental Protection Agency

from promulgating as final certain energy-related rules that are estimated to cost more than \$1,000,000, 000 and will cause significant adverse effects to the economy.

S. 1369

At the request of Mr. BROWN, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 1369, a bill to provide additional flexibility to the Board of Governors of the Federal Reserve System to establish capital standards that are properly tailored to the unique characteristics of the business of insurance, and for other purposes.

S. 1431

At the request of Mr. WYDEN, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Oklahoma (Mr. INHOFE) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 1431, a bill to permanently extend the Internet Tax Freedom Act.

S. 1452

At the request of Mr. FRANKEN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1452, a bill to enhance transparency for certain surveillance programs authorized by the Foreign Intelligence Surveillance Act of 1978 and for other purposes.

S. 1459

At the request of Mr. KIRK, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1459, a bill to amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing 2 or more levels stacked on top of one another.

S. 1462

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1462, a bill to extend the positive train control system implementation deadline, and for other purposes.

S. 1490

At the request of Mr. FLAKE, the names of the Senator from Ohio (Mr. PORTMAN), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 1490, a bill to delay the application of the Patient Protection and Affordable Care Act.

S. 1500

At the request of Mr. CORNYN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1500, a bill to declare the November 5, 2009, attack at Fort Hood, Texas, a terrorist attack, and to ensure that the victims of the attack and their families receive the same honors and benefits as those Americans who have been killed or wounded in a combat zone overseas and their families.

AMENDMENT NO. 1908

At the request of Mr. HOEVEN, the name of the Senator from Nevada (Mr.

HELLER) was added as a cosponsor of amendment No. 1908 intended to be proposed to S. 1392, a bill to promote energy savings in residential buildings and industry, and for other purposes.

AMENDMENT NO. 1916

At the request of Mr. HOEVEN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 1916 intended to be proposed to S. 1392, a bill to promote energy savings in residential buildings and industry, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HATCH:

S. 1518. A bill improving outcomes for youth at risk for sex trafficking, and for other purposes; to the Committee on Finance.

Mr. HATCH. Mr. President, there is an epidemic of abuse that is taking place in America today. Recent reports estimate that hundreds of thousands of children and youths are at risk of domestic sex trafficking.

Individuals on the frontlines in the fight against domestic sexual trafficking of children report that instances are on the rise. They tell us former drug dealers have moved on to sex trafficking. They also tell us technological advances have made this type of trafficking easier as smart phones and other devices provide distance and increased levels of anonymity. Certain Web sites that post classified ads soliciting sexual partners also help facilitate trafficking.

The risk of sex trafficking is compounded every year for up to 30,000 young people who are "emancipated" from foster care. Too many of these emancipated youth turn 18, pack their few belongings in a trash bag and are driven to a homeless shelter, leaving them vulnerable and exposed to traffickers and other predators.

While in foster care, children and youth are also at increased risk for trafficking.

In July of this year, the FBI's Innocence Lost National Initiative, which combats domestic sex trafficking of minors, launched Operation Cross Country, a 3-day effort. Operation Cross Country recovered 105 children and arrested 152 traffickers. The efforts of the Innocence Lost National Initiative and the results of Operation Cross Country are laudable. However, they also revealed a disturbing element of our Nation's child welfare and foster care systems. According to some reports, up to 60 percent of sexually exploited children are recruited out of the child welfare and foster care programs. That is an unbelievable statistic, but it is apparently true. Because of the trauma and past abuse suffered by children and youth in these systems, they are particularly vulnerable to traffickers.

FBI officials involved in Operation Cross Country report:

Law enforcement refers to these young children as "children with a void." Once the

pimp identifies that void and makes every attempt to fill it, a dependency between the child and the perpetrator develops.

Law enforcement officers also report:

The most vulnerable victims forced into sex trafficking range in age from 13 to 16. Most of the children come from either foster care homes or are considered runaways.

In order to combat domestic sex trafficking and improve outcomes for children and youth in foster care, systemic changes need to be made in the current child welfare system.

Therefore, today I am introducing the Improving Outcomes for Youth at Risk for Sex Trafficking Act of 2013. The short title of the bill is I O Youth.

We do owe these youth. These are our country's most damaged and most vulnerable children. Yet most kids who age out of foster care face negative outcomes such as homelessness, teen pregnancy, drug addiction, and trafficking. We ought to do better.

This legislation I am introducing today addresses some of the widespread conditions in the child welfare and foster care systems that make these children and youth particularly vulnerable to being sexually trafficked. I am sure most Americans would be surprised to learn that most child welfare agencies will not serve trafficked children and youth who are not in the custody of a biological or foster family or living in a group home.

Often these children, who are not legally able to give consent for sex, are arrested for prostitution and referred to the juvenile justice system. In many States, the courts and the juvenile justice system are ill-equipped to deal with the trauma these children and youth have endured.

My bill requires that States provide services to youth who have been trafficked or are at risk of being trafficked. The bill also redirects resources to improve the current court system to better identify and address needs of trafficked youth.

Many youth in foster care are routinely denied the opportunity to participate in normal age-appropriate activities and social events such as playing sports, participating in afterschool activities, and enjoying a social life with friends. This lack of contact and engagement in healthy and meaningful activities deprives young people of important social connections. Preventing youth from having normal experiences impairs their healthy development and contributes to isolation and loneliness, which in turn makes them vulnerable to domestic sex trafficking, homelessness, drug abuse, poor educational outcomes, poverty, and, of course, other negative outcomes.

My bill includes a number of provisions to encourage, enhance, support youth in foster care, facilitate their participation in age-appropriate activities and social events. I hope these provisions will promote healthy development, increase meaningful opportunities to form meaningful connections, reduce the risk of vulnerability to do-

mestic sex trafficking, and other negative outcomes.

Another major risk factor for vulnerability to sex trafficking and other negative outcomes for older youth in care is a continued reliance on congregate care facilities. These facilities are routinely targeted by traffickers and are often warehouses for youth who are rarely, if ever, allowed to engage in healthy age-appropriate activities and social events.

I understand that many of the children and youth in foster care are deeply traumatized and present with many acute physical and mental conditions. Some of these children and youth need intensive treatment to help them manage or overcome these conditions. I am pleased to report there are many good providers who are doing this work who support the legislation I am introducing today.

I O Youth refocuses Federal priorities of connecting vulnerable youth with caring, permanent families. For those remaining in congregate care facilities, my legislation requires that youth have improved access to normal, age-appropriate activities.

Youth in foster care report that they feel uninvolved, unaware, and disconnected to any planning around their care or their future. They are not informed of their rights while in foster care. This can lead to a sense of disenfranchisement and a lack of connection to siblings, relatives, or other caring adults. In many cases, this lack of connection contributes to the void so often preyed upon by traffickers.

My bill requires that State child welfare agencies provide ongoing family finding for older youth in foster care. I O Youth, this bill, also requires greater participation of youth in planning for their future and encourages States to find individuals willing to be involved on an ongoing basis with the youth in foster care.

Individuals who work with victims of domestic sex trafficking tell us the single biggest challenge with access to these victims is the lack of accessible and affordable housing. For older youth who have been emancipated from foster care, not having a place to sleep is often a reason why they enter into the sex trade. In order to improve housing options for these at-risk youth, my bill redirects funds from the social services block grant in order to provide housing to trafficked and other vulnerable youth.

We live in very contentious times. There are fierce policy and partisan divides on many political issues. Domestic sex trafficking of children and youth from foster care is not one of those issues. If there is any issue under the Sun that is without controversy, it is this one.

Last June, the Senate Finance Committee heard from a courageous survivor of domestic sex trafficking. She told us that she had been sold:

to several other pimps that had sex with me and forced me to have sex with other

men. My story is sad, but it's common. And, girls like me are all around, but people don't see them so they remain victims.

This young gentlelady went on to change her life, hold a regular job, and to testify against some of these so-called pimps. What a courageous young woman.

It is time for us to pay attention to these girls and to all the children and youth in the foster care system.

I expect my legislation to have broad, bipartisan support in the Senate. I am pleased that a number of organizations already support the bill, and I am particularly gratified that organizations that work directly with young people have come out so strongly in support of my legislation. I have received letters from support for I O Youth from FosterClub, Children's Home Society of America, the National Network for Young People in Foster Care, the National Center for Housing and Child Welfare, Covenant House International, Human Rights Project for Girls, The Children's Village, National Children's Alliance, and the International Centre for Missing & Exploited Children. I am hopeful the Senate can come together to act quickly on my legislation. We owe these youth that much.

By Ms. MURKOWSKI:

S. 1521. A bill to prohibit Federal agencies from requiring seafood to be certified as sustainable by a third party nongovernmental organization and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. MURKOWSKI. Mr. President, I rise to discuss the Responsible Seafood Certification and Labeling Act which I am introducing today. This bill addresses an issue of great importance to fishermen, seafood producers and coastal communities in my state and around the country—the issue of how fisheries are managed sustainably. Based on the most recent economic data, the Alaska seafood industry supported more than 63,000 direct jobs and contributed over \$4.6 billion to the state's economy. Nationally, those numbers go up to 165,800 total jobs and an economic contribution of \$15.7 billion.

The salmon fisheries are a major part of my State's seafood economy and commercial fishermen around the State harvested more than 265 million salmon this season. With nearly 1 in 7 Alaskans employed in the commercial seafood industry, and numbers like the ones I just shared, you can understand why I take seriously how the Federal Government affects my State's fishermen.

On June 5, the National Park Service announced new guidelines to promote healthy food options for concessionaires at National Park Service facilities. These guidelines include the following statement:

Where seafood options are offered, provide only those that are 'Best Choice' or 'Good

Alternatives' on the Monterey Bay Aquarium Seafood Watch list, certified sustainable by the Marine Stewardship Council, or identified by an equivalent program that has been approved by the NPS.

Within the week, I was hearing from constituents, and they were not happy. Digging further into the origins led to policies developed by the Department of Health and Human Services and the General Services Administration that served as precursors to the NPS Guidelines, and an indication that this is a broader problem within the Federal Government.

How bad could this be? Why are these guidelines a problem? Why I am so concerned? Before delving into those questions, I want to acknowledge what some of you may know: Alaska salmon is a 'Best Choice' according to the Monterey Bay Aquarium. You can check your smart phone app. Problem solved, no impediment to the Park Service allowing its vendors to serve Wild Alaska salmon to its visitors, or any other Federal agency creating a problem for wild Alaska seafood . . . right? Wrong! It is a problem, a big problem, and here is why.

I believe it is bad Federal policy to allow third party certifiers, including Non-Governmental Organizations, NGOs, from the UK, to be the arbiters of what seafood is allowed to be sold in National Parks, or procured by Federal agencies. Not too long ago, wild Alaska salmon served as the flagship species for—MSC. Now MSC is disparaging the "sustainability" of Alaska salmon. These NGOs have political agendas, lack transparency, and are soliciting payment for their certification schemes. These NGOs are meddling, and their efforts to usurp Federal and State management expertise is harming U.S. seafood interests. What started as voluntary efforts to differentiate well-managed fisheries, to create market value for seafood products, to reward responsible fishermen and processors, has turned into an aggressive scheme apparently intent on taking over federal and state management responsibilities, intruding into the fabric of fisheries management in my State and around the country. The U.S. currently spends almost a billion tax dollars each year to sustainably manage American fisheries in compliance with the Magnuson-Stevens Act. There is no reason to let groups with no accountability interfere with this process.

On July 12 I sent a letter to HHS, GSA, and the Park Service stating my concerns, defending wild Alaska seafood, and requesting that all three agency heads meet with me to discuss how to change these guidelines. At an Energy and Natural Resources Committee oversight hearing on the Park Service's maintenance backlog, I questioned Director Jarvis on this issue. When Director Jarvis responded that he would make sure wild Alaska seafood would be included, I said that is not good enough, this is a national issue important to seafood interests

around the country, and federal agency regulations, policies and guidelines need to be changed to eliminate the references to third party certification NGOs.

The bill I am introducing today will prohibit any U.S. Federal agency from requiring or endorsing the use of any third party non-governmental organization's label, criteria or other scheme to certify fish or seafood as sustainable. This prohibition will apply to any federal agency's purchase of fish or seafood, the sale of fish or seafood by a vendor or lessee on federal land or property, and any reference to a seafood sustainability standard developed by a third party non-governmental organization in any regulation, policy or guideline.

This is the right Federal policy for the Alaska seafood industry, and for our Nation's fishermen and coastal communities that depend on healthy and sustainable fisheries. It also is the right policy to ensure that hard working fishermen and the coastal communities that depend on them are not disadvantaged by the agenda of several misguided NGOs.

By Mr. ROCKEFELLER (for himself, Mr. BROWN, Mr. HARKIN, and Mr. JOHNSON of South Dakota):

S. 1523. A bill to amend the Internal Revenue Code to make permanent qualified school construction bonds and qualified zone academy bonds, to treat qualified zone academy bonds as specified tax credit bonds, and to modify the private business contribution requirement for qualified zone academy bonds; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, today I am proud to partner with Senator SHERROD BROWN to introduce the Rebuilding America's Schools Act. This legislation would provide a permanent path forward so our Nation's students can learn in high-quality settings. Investing in education is key to the future success of our Nation, so we have to make choices that support teachers and strong curricula, textbooks, and technology. We must also invest in school facilities.

Studies show that the learning environment affects students' academic achievement, as well as their behavior. It also makes a difference in the effectiveness of teachers. When the Department of Education asked principals about the caliber of their facilities in 2005, 43 percent reported that environmental factors like excessive noise, poor lighting, or inadequate ventilation interfered with instruction. The number was even higher when it came to portable or temporary buildings and classrooms. Building on these sentiments is a recent report by the American Society of Civil Engineers, which gave our Nation's school facilities a grade of "D." Clearly, we have significant work to do.

I have fought for many years to provide the Federal support needed to help

improve our existing schools and build new ones, so that our students have the best environment possible to learn and grow. For most students, their school is the center of their lives. School is where friendships are built, knowledge is gained, and the foundation is laid for them to excel in society.

The Rebuilding America's Schools Act would provide important additional Federal resources to build and renovate schools through the qualified zone academy bond program and the Qualified School Construction Bond Program. Since 1998, qualified zone academy bonds have helped renovate and repair schools in every State. In 2010–2011, school districts in 49 States used \$11 billion in qualified school construction bond financing to build and renovate 21st century schools in communities across the country. The need is great—the National Education Association estimates that our public school systems need as much as \$322 billion to bring our school facilities up to modern standards. Our legislation would make significant progress in helping to finance these desperately needed improvements.

In addition to helping make sure that no child has to attend classes at a deteriorating school, this legislation will help create good-paying construction jobs and stimulate our local economies. In fact, our legislation is an important opportunity to make an investment in our schools, our students, our teachers, and ultimately, our communities. I urge my colleagues to join me in supporting this legislation that invests in the future success of our youngest generations and our Nation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 237—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. MENENDEZ submitted the following resolution; from the Committee on Foreign Relations; which was referred to the Committee on Rules and Administration:

S. RES. 237

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under Rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of Rule XXVI of the Standing Rules of the Senate, the Committee on Foreign Relations is authorized from October 1, 2013, through September 30, 2014 and October 1, 2014, through February 28, 2015, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2(a). The expenses of the committee for the period October 1, 2013, through September 30, 2014, under this resolution shall

not exceed \$6,599,622, of which amount (1) not to exceed \$150,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))), and (2) not to exceed \$20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(j))).

(b) For the period October 1, 2014, through February 28, 2015, expenses of the committee under this resolution shall not exceed \$2,749,842, of which amount (1) not to exceed \$150,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))), and (2) not to exceed \$20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(j))).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2015.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from October 1, 2013, through September 30, 2014, and October 1, 2014, through February 28, 2015, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations".

SENATE RESOLUTION 238—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN submitted the following resolution; from the Committee on Health, Education, Labor, and Pensions; which was referred to the Committee on Rules and Administration:

S. RES. 238

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Health, Education, Labor, and Pensions is authorized from October 1, 2013, through September 30, 2014, and October 1, 2014, through February 28, 2015, in its discre-

tion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2(a). The expenses of the committee for the period October 1, 2013, through September 30, 2014, under this resolution shall not exceed \$8,663,935, of which amount (1) not to exceed \$75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$25,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2014, through February 28, 2015, expenses of the committee under this resolution shall not exceed \$3,609,973, of which amount (1) not to exceed \$75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$25,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 4. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from October 1, 2013, through September 30, 2014, and October 1, 2014, through February 28, 2015, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations".

SENATE RESOLUTION 239—AUTHORIZING EXPENDITURES BY THE SENATE COMMITTEE ON INDIAN AFFAIRS

Ms. CANTWELL submitted the following resolution; from the Committee on Indian Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 239

Resolved, That, in carrying out its powers, duties, and functions imposed by section 105 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by that section, the Committee on Indian Affairs is authorized from October 1, 2013, through September 30, 2014, and October 1, 2014, through February 28,

2015, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or non-reimbursable, basis the services of personnel of any such department or agency.

SEC. 2(a). For the period October 1, 2013, through September 30, 2014, expenses of the committee under this resolution shall not exceed \$2,009,768.00, of which amount (1) not to exceed \$20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2014, through February 28, 2015, expenses of the committee under this resolution shall not exceed \$837,403.00, of which amount (1) not to exceed \$20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2015.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the Chairwoman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from October 1, 2013, through September 30, 2014, and October 1, 2014, through February 28, 2015, to be paid from the Appropriations account for Expenses of Inquiries and Investigations.

SENATE RESOLUTION 240—DESIGNATING THE WEEK BEGINNING SEPTEMBER 15, 2013, AS "NATIONAL HISPANIC-SERVING INSTITUTIONS WEEK"

Mr. MENENDEZ (for himself, Mr. REID, Mr. CORNYN, Mr. BEGICH, Mr. BENNET, Mrs. BOXER, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HEINRICH, Mr. MARKEY, Mrs. MURRAY, Mr. NELSON, Mr. RUBIO, Mr. SCHUMER, Mr. UDALL of Colorado,

Mr. WARNER, Mr. HELLER, and Mr. ENZI) submitted the following resolution; which was considered and agreed to:

S. RES. 240

Whereas Hispanic-Serving Institutions are degree-granting institutions that have a full-time equivalent undergraduate enrollment of at least 25 percent Hispanic students;

Whereas Hispanic-Serving Institutions play an important role in educating many underprivileged students and helping those students attain their full potential through higher education;

Whereas more than 350 Hispanic-Serving Institutions operate in the United States;

Whereas Hispanic-Serving Institutions serve more than half, or 56 percent, of all Hispanic students, enrolling more than 1,480,000 students in 2011;

Whereas Hispanic-Serving Institutions are actively involved in stabilizing and improving the communities in which the institutions are located;

Whereas celebrating the vast contributions of Hispanic-Serving Institutions to the United States strengthens the culture of the United States; and

Whereas the achievements and goals of Hispanic-Serving Institutions deserve national recognition: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements and goals of Hispanic-Serving Institutions across the United States;

(2) designates the week beginning September 15, 2013, as “National Hispanic-Serving Institutions Week”; and

(3) calls on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for Hispanic-Serving Institutions.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1953. Mr. UDALL of New Mexico (for himself, Mr. UDALL of Colorado, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table.

SA 1954. Mr. WARNER (for himself, Mr. MANCHIN, Mr. TESTER, and Mr. SCHATZ) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1955. Ms. KLOBUCHAR (for herself, Mr. GRAHAM, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1956. Ms. KLOBUCHAR (for herself, Mr. FRANKEN, and Mr. HOEVEN) submitted an amendment intended to be proposed by her to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1957. Mr. UDALL of New Mexico (for himself, Mr. UDALL of Colorado, Mr. CARDIN, and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1953. Mr. UDALL of New Mexico (for himself, Mr. UDALL of Colorado, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings

and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, between lines 16 and 17, insert the following:

SEC. 4. SMART WATER RESOURCE MANAGEMENT PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a utility;

(B) a municipality;

(C) a water district; and

(D) any other authority that provides water, wastewater, or water reuse services.

(2) SMART WATER RESOURCE MANAGEMENT PILOT PROGRAM.—The term “smart water resource management pilot program” or “pilot program” means the pilot program established under subsection (b).

(b) SMART WATER RESOURCE MANAGEMENT PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish and carry out a smart water resource management pilot program in accordance with this section.

(2) PURPOSE.—The purpose of the smart water resource management pilot program is to award grants to eligible entities to demonstrate novel and innovative technology-based solutions that will—

(A) increase the energy and water efficiency of water, wastewater, and water reuse systems;

(B) improve water, wastewater, and water reuse systems to help communities across the United States make significant progress in conserving water, saving energy, and reducing costs; and

(C) support the implementation of innovative processes and the installation of advanced automated systems that provide real-time data on energy and water.

(3) PROJECT SELECTION.—

(A) IN GENERAL.—The Secretary shall make competitive, merit-reviewed grants under the pilot program to not less than 3, but not more than 5, eligible entities.

(B) SELECTION CRITERIA.—In selecting an eligible entity to receive a grant under the pilot program, the Secretary shall consider—

(i) energy and cost savings;

(ii) the novelty of the technology to be used;

(iii) the degree to which the project integrates next-generation sensors, software, analytics, and management tools;

(iv) the anticipated cost-effectiveness of the pilot project in terms of energy efficiency savings, water savings or reuse, and infrastructure costs averted;

(v) whether the technology can be deployed in a variety of geographic regions and the degree to which the technology can be implemented on a smaller or larger scale; and

(vi) whether the project will be completed in 5 years or less.

(C) APPLICATIONS.—

(i) IN GENERAL.—Subject to clause (ii), an eligible entity seeking a grant under the pilot program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary determines to be necessary.

(ii) CONTENTS.—An application under clause (i) shall, at a minimum, include—

(I) a description of the project;

(II) a description of the technology to be used in the project;

(III) the anticipated results, including energy and water savings, of the project;

(IV) a comprehensive budget for the project;

(V) the names of the project lead organization and any partners;

(VI) the number of users to be served by the project; and

(VII) any other information that the Secretary determines to be necessary to complete the review and selection of a grant recipient.

(4) ADMINISTRATION.—

(A) IN GENERAL.—Not later than 300 days after the date of enactment of this Act, the Secretary shall select grant recipients under this section.

(B) EVALUATIONS.—The Secretary shall annually carry out an evaluation of each project for which a grant is provided under this section that—

(i) evaluates the progress and impact of the project; and

(ii) assesses the degree to which the project is meeting the goals of the pilot program.

(C) TECHNICAL AND POLICY ASSISTANCE.—On the request of a grant recipient, the Secretary shall provide technical and policy assistance.

(D) BEST PRACTICES.—The Secretary shall make available to the public—

(i) a copy of each evaluation carried out under subparagraph (B); and

(ii) a description of any best practices identified by the Secretary as a result of those evaluations.

(E) REPORT TO CONGRESS.—The Secretary shall submit to Congress a report containing the results of each evaluation carried out under subparagraph (B).

(c) FUNDING.—

(1) IN GENERAL.—The Secretary shall use not less than \$7,500,000 of amounts made available to the Secretary to carry out this section.

(2) PRIORITIZATION.—In funding activities under this section, the Secretary shall prioritize funding in the following manner:

(A) Any unobligated amounts made available for the State Energy Program of the Department of Energy.

(B) Any unobligated amounts (other than those described in subparagraph (A)) made available to the Secretary.

SA 1954. Mr. WARNER (for himself, Mr. MANCHIN, Mr. TESTER, and Mr. SCHATZ) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

Subtitle B—Energy Productivity Innovation Challenge

SEC. 411. SHORT TITLE.

This subtitle may be cited as the “Energy Productivity Innovation Challenge Act of 2013” or the “EPIC Act of 2013”.

SEC. 412. PURPOSE.

The purpose of this subtitle is to assist energy policy innovation in the States to promote the goal of doubling electric and thermal energy productivity by January 1, 2030.

SEC. 413. DEFINITIONS.

In this subtitle:

(1) ENERGY PRODUCTIVITY.—The term “energy productivity” means, in the case of a State or Indian tribe, the gross State or tribal product per British thermal unit of energy consumed in the State or tribal land of the Indian tribe, respectively.

(2) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) STATE.—The term “State” has the meaning given the term in section 3 of the Energy Policy and Conservation Act (42 U.S.C. 6202).

SEC. 414. PHASE 1: INITIAL ALLOCATION OF GRANTS TO STATES.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the

Secretary shall issue an invitation to States to submit plans to participate in an electric and thermal energy productivity challenge in accordance with this section.

(b) GRANTS.—

(1) IN GENERAL.—Subject to section 417, the Secretary shall use funds made available under section 418(b)(1) to provide an initial allocation of grants to not more than 25 States.

(2) AMOUNT.—The amount of a grant provided to a State under this section shall be not less than \$500,000 nor more than \$1,750,000.

(c) SUBMISSION OF PLANS.—To receive a grant under this section, not later than 90 days after the date of issuance of the invitation under subsection (a), a State (in consultation with energy utilities, regulatory bodies, and others) shall submit to the Secretary an application to receive the grant by submitting a revised State energy conservation plan under section 362 of the Energy Policy and Conservation Act (42 U.S.C. 6322).

(d) DECISION BY SECRETARY.—

(1) BASIS.—The Secretary shall base the decision of the Secretary on an application submitted under this section on—

(A) plans for improvement in electric and thermal energy productivity consistent with this subtitle; and

(B) other factors determined appropriate by the Secretary, including geographic diversity.

(2) RANKING.—The Secretary shall—

(A) rank revised plans submitted under this section in order of the greatest to least likely contribution to improving energy productivity in the State; and

(B) provide grants under this section in accordance with the ranking and the scale and scope of a plan.

(e) PLAN REQUIREMENTS.—A plan submitted under subsection (c) shall provide—

(1) a description of the manner in which—

(A) energy savings will be monitored and verified and energy productivity improvements will be calculated using inflation-adjusted dollars;

(B) a statewide baseline of energy use and potential resources for calendar year 2010 will be established to measure improvements;

(C) the plan will promote achievement of energy savings and demand reduction goals;

(D) public and private sector investments in energy efficiency will be leveraged with available Federal funding; and

(E) the plan will not cause cost-shifting among utility customer classes or negatively impact low-income populations; and

(2) an assurance that—

(A) the State energy office required to submit the plan, the energy utilities in the State participating in the plan, and the State public service commission are cooperating and coordinating programs and activities under this subtitle;

(B) the State is cooperating with local units of government, Indian tribes, and energy utilities to expand programs as appropriate; and

(C) grants provided under this subtitle will be used to supplement and not supplant Federal, State, or ratepayer-funded programs or activities in existence on the date of enactment of this subtitle.

(f) USES.—A State may use grants provided under this section to promote—

(1) the expansion of policies and programs that will advance industrial energy efficiency, waste heat recovery, combined heat and power, and waste heat-to-power utilization;

(2) the expansion of policies and programs that will advance energy efficiency construction and retrofits for public and private commercial buildings (including schools, hos-

pitals, and residential buildings, including multifamily buildings) such as through expanded energy service performance contracts, equivalent utility energy service contracts, zero net-energy buildings, and improved building energy efficiency codes;

(3) the establishment or expansion of incentives in the electric utility sector to enhance demand response and energy efficiency, including consideration of additional incentives to promote the purposes of section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)), such as appropriate, cost-effective policies regarding rate structures, grid improvements, behavior change, combined heat and power and waste heat-to-power incentives, financing of energy efficiency programs, data use incentives, district heating, and regular energy audits; and

(4) leadership by example, in which State activities involving both facilities and vehicle fleets can be a model for other action to promote energy efficiency and can be expanded with Federal grants provided under this subtitle.

SEC. 415. PHASE 2: SUBSEQUENT ALLOCATION OF GRANTS TO STATES.

(a) REPORTS.—Not later than 18 months after the receipt of grants under section 414, each State (in consultation with other parties described in subsection (b)(3)(F) that received grants under section 414 may submit to the Secretary a report that describes—

(1) the performance of the programs and activities carried out with the grants; and

(2) in consultation with other parties described in subsection (b)(3)(F), the manner in which additional funds would be used to carry out programs and activities to promote the purposes of this subtitle.

(b) GRANTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the receipt of the reports required under subsection (a), subject to section 417, the Secretary shall use amounts made available under section 418(b)(2) to provide grants to not more than 6 States to carry out the programs and activities described in subsection (a)(2).

(2) AMOUNT.—The amount of a grant provided to a State under this section shall be not more than \$15,000,000.

(3) BASIS.—The Secretary shall base the decision of the Secretary to provide grants under this section on—

(A) the performance of the State in the programs and activities carried out with grants provided under section 414;

(B) the potential of the programs and activities described in subsection (a)(2) to achieve the purposes of this subtitle;

(C) the desirability of maintaining a total project portfolio that is geographically and functionally diverse;

(D) the amount of non-Federal funds that are leveraged as a result of the grants to ensure that Federal dollars are leveraged effectively;

(E) plans for continuation of the improvements after the receipt of grants under this subtitle; and

(F) demonstrated effort by the State to involve diverse groups, including—

(i) investor-owned, cooperative, and public power utilities;

(ii) local governments; and

(iii) nonprofit organizations.

SEC. 416. ALLOCATION OF GRANTS TO INDIAN TRIBES.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall invite Indian tribes to submit plans to participate in an electric and thermal energy productivity challenge in accordance with this section.

(b) SUBMISSION OF PLANS.—To receive a grant under this section, not later than 90

days after the date of issuance of the invitation under subsection (a), an Indian tribe shall submit to the Secretary a plan to increase electric and thermal energy productivity by the Indian tribe.

(c) DECISION BY SECRETARY.—

(1) IN GENERAL.—Not later than 90 days after the submission of plans under subsection (b), the Secretary shall make a final decision on the allocation of grants under this section.

(2) BASIS.—The Secretary shall base the decision of the Secretary under paragraph (1) on—

(A) plans for improvement in electric and thermal energy productivity consistent with this subtitle;

(B) plans for continuation of the improvements after the receipt of grants under this subtitle; and

(C) other factors determined appropriate by the Secretary, including—

(i) geographic diversity; and

(ii) size differences among Indian tribes.

(3) LIMITATION.—An individual Indian tribe shall not receive more than 20 percent of the total amount available to carry out this section.

SEC. 417. ADMINISTRATION.

(a) INDEPENDENT EVALUATION.—To evaluate program performance and effectiveness under this subtitle, the Secretary shall consult with the National Research Council regarding requirements for data and evaluation for recipients of grants under this subtitle.

(b) COORDINATION WITH STATE ENERGY CONSERVATION PROGRAMS.—

(1) IN GENERAL.—Grants to States under this subtitle shall be provided through additional funding to carry out State energy conservation programs under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

(2) RELATIONSHIP TO STATE ENERGY CONSERVATION PROGRAMS.—

(A) IN GENERAL.—A grant provided to a State under this subtitle shall be used to supplement (and not supplant) funds provided to the State under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

(B) MINIMUM FUNDING.—A grant shall not be provided to a State for a fiscal year under this subtitle if the amount of funding provided to all State grantees under the base formula for the fiscal year under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.) is less than \$50,000,000.

(c) VOLUNTARY PARTICIPATION.—The participation of a State in a challenge established under this subtitle shall be voluntary.

SEC. 418. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this subtitle \$100,000,000 for the period of fiscal years 2014 through 2017.

(b) ALLOCATION.—Of the total amount of funds made available under subsection (a)—

(1) 30 percent shall be used to provide an initial allocation of grants to States under section 414;

(2) 61 percent shall be used to provide a subsequent allocation of grants to States under section 415;

(3) 4 percent shall be used to make grants to Indian tribes under section 416; and

(4) 5 percent shall be available to the Secretary for the cost of administration and technical support to carry out this subtitle.

SEC. 419. OFFSET.

Section 422(f) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17082(f)) (as amended by section 401) is amended by striking paragraphs (5) and (6) and inserting the following:

“(5) \$175,000,000 for fiscal year 2014;
 “(6) \$125,000,000 for fiscal year 2015;
 “(7) \$75,000,000 for each of fiscal years 2016 and 2017; and
 “(8) \$100,000,000 for fiscal year 2018.”.

SA 1955. Ms. KLOBUCHAR (for herself, Mr. GRAHAM, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE V—METAL THEFT PREVENTION ACT
SEC. 501. SHORT TITLE.

This title may be cited as the “Metal Theft Prevention Act of 2013”.

SEC. 502. DEFINITIONS.

In this title—

(1) the term “critical infrastructure” has the meaning given the term in section 1016(e) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (42 U.S.C. 5195c(e));

(2) the term “specified metal” means metal that—

(A)(i) is marked with the name, logo, or initials of a city, county, State, or Federal government entity, a railroad, an electric, gas, or water company, a telephone company, a cable company, a retail establishment, a beer supplier or distributor, or a public utility; or

(ii) has been altered for the purpose of removing, concealing, or obliterating a name, logo, or initials described in clause (i) through burning or cutting of wire sheathing or other means; or

(B) is part of—

(i) a street light pole or street light fixture;

(ii) a road or bridge guard rail;

(iii) a highway or street sign;

(iv) a water meter cover;

(v) a storm water grate;

(vi) unused or undamaged building construction or utility material;

(vii) a historical marker;

(viii) a grave marker or cemetery urn;

(ix) a utility access cover; or

(x) a container used to transport or store beer with a capacity of 5 gallons or more;

(C) is a wire or cable commonly used by communications and electrical utilities; or

(D) is copper, aluminum, and other metal (including any metal combined with other materials) that is valuable for recycling or reuse as raw metal, except for—

(i) aluminum cans; and

(ii) motor vehicles, the purchases of which are reported to the National Motor Vehicle Title Information System (established under section 30502 of title 49); and

(3) the term “recycling agent” means any person engaged in the business of purchasing specified metal for reuse or recycling, without regard to whether that person is engaged in the business of recycling or otherwise processing the purchased specified metal for reuse.

SEC. 503. THEFT OF SPECIFIED METAL.

(a) OFFENSE.—It shall be unlawful to knowingly steal specified metal—

(1) being used in or affecting interstate or foreign commerce; and

(2) the theft of which is from and harms critical infrastructure.

(b) PENALTY.—Any person who commits an offense described in subsection (a) shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both.

SEC. 504. DOCUMENTATION OF OWNERSHIP OR AUTHORITY TO SELL.

(a) OFFENSES.—

(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for a recycling agent to purchase specified metal described in subparagraph (A) or (B) of section 502(2), unless—

(A) the seller, at the time of the transaction, provides documentation of ownership of, or other proof of the authority of the seller to sell, the specified metal; and

(B) there is a reasonable basis to believe that the documentation or other proof of authority provided under subparagraph (A) is valid.

(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth a requirement on recycling agents to obtain documentation of ownership or proof of authority to sell specified metal before purchasing specified metal.

(3) RESPONSIBILITY OF RECYCLING AGENT.—A recycling agent is not required to independently verify the validity of the documentation or other proof of authority described in paragraph (1).

(4) PURCHASE OF STOLEN METAL.—It shall be unlawful for a recycling agent to purchase any specified metal that the recycling agent—

(A) knows to be stolen; or

(B) should know or believe, based upon commercial experience and practice, to be stolen.

(b) CIVIL PENALTY.—A person who knowingly violates subsection (a) shall be subject to a civil penalty of not more than \$10,000 for each violation.

SEC. 505. TRANSACTION REQUIREMENTS.

(a) RECORDING REQUIREMENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), a recycling agent shall maintain a written or electronic record of each purchase of specified metal.

(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth recording requirements that are substantially similar to the requirements described in paragraph (3) for the purchase of specified metal.

(3) CONTENTS.—A record under paragraph (1) shall include—

(A) the name and address of the recycling agent; and

(B) for each purchase of specified metal—

(i) the date of the transaction;

(ii) a description of the specified metal purchased using widely used and accepted industry terminology;

(iii) the amount paid by the recycling agent;

(iv) the name and address of the person to which the payment was made;

(v) the name of the person delivering the specified metal to the recycling agent, including a distinctive number from a Federal or State government-issued photo identification card and a description of the type of the identification; and

(vi) the license plate number and State-of-issue, make, and model, if available, of the vehicle used to deliver the specified metal to the recycling agent.

(4) REPEAT SELLERS.—A recycling agent may comply with the requirements of this subsection with respect to a purchase of specified metal from a person from which the recycling agent has previously purchased specified metal by—

(A) reference to the existing record relating to the seller; and

(B) recording any information for the transaction that is different from the record relating to the previous purchase from that person.

(5) RECORD RETENTION PERIOD.—A recycling agent shall maintain any record required under this subsection for not less than 2

years after the date of the transaction to which the record relates.

(6) CONFIDENTIALITY.—Any information collected or retained under this section may be disclosed to any Federal, State, or local law enforcement authority or as otherwise directed by a court of law.

(b) PURCHASES IN EXCESS OF \$100.—

(1) IN GENERAL.—Except as provided in paragraph (2), a recycling agent may not pay cash for a single purchase of specified metal of more than \$100. For purposes of this paragraph, more than 1 purchase in any 48-hour period from the same seller shall be considered to be a single purchase.

(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth a maximum amount for cash payments for the purchase of specified metal.

(3) PAYMENT METHOD.—

(A) OCCASIONAL SELLERS.—Except as provided in subparagraph (B), for any purchase of specified metal of more than \$100 a recycling agent shall make payment by check that—

(i) is payable to the seller; and

(ii) includes the name and address of the seller.

(B) ESTABLISHED COMMERCIAL TRANSACTIONS.—A recycling agent may make payments for a purchase of specified metal of more than \$100 from a governmental or commercial supplier of specified metal with which the recycling agent has an established commercial relationship by electronic funds transfer or other established commercial transaction payment method through a commercial bank if the recycling agent maintains a written record of the payment that identifies the seller, the amount paid, and the date of the purchase.

(c) CIVIL PENALTY.—A person who knowingly violates subsection (a) or (b) shall be subject to a civil penalty of not more than \$5,000 for each violation, except that a person who commits a minor violation shall be subject to a penalty of not more than \$1,000.

SEC. 506. ENFORCEMENT BY ATTORNEY GENERAL.

The Attorney General may bring an enforcement action in an appropriate United States district court against any person that engages in conduct that violates this title.

SEC. 507. ENFORCEMENT BY STATE ATTORNEYS GENERAL.

(a) IN GENERAL.—An attorney general or equivalent regulator of a State may bring a civil action in the name of the State, as parens patriae on behalf of natural persons residing in the State, in any district court of the United States or other competent court having jurisdiction over the defendant, to secure monetary or equitable relief for a violation of this title.

(b) NOTICE REQUIRED.—Not later than 30 days before the date on which an action under subsection (a) is filed, the attorney general or equivalent regulator of the State involved shall provide to the Attorney General—

(1) written notice of the action; and

(2) a copy of the complaint for the action.

(c) ATTORNEY GENERAL ACTION.—Upon receiving notice under subsection (b), the Attorney General shall have the right—

(1) to intervene in the action;

(2) upon so intervening, to be heard on all matters arising therein;

(3) to remove the action to an appropriate district court of the United States; and

(4) to file petitions for appeal.

(d) PENDING FEDERAL PROCEEDINGS.—If a civil action has been instituted by the Attorney General for a violation of this title, no State may, during the pendency of the action instituted by the Attorney General, institute a civil action under this title against

any defendant named in the complaint in the civil action for any violation alleged in the complaint.

(e) CONSTRUCTION.—For purposes of bringing a civil action under subsection (a), nothing in this section regarding notification shall be construed to prevent the attorney general or equivalent regulator of the State from exercising any powers conferred under the laws of that State to—

- (1) conduct investigations;
- (2) administer oaths or affirmations; or
- (3) compel the attendance of witnesses or the production of documentary and other evidence.

SEC. 508. DIRECTIVE TO SENTENCING COMMISSION.

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission, shall review and, if appropriate, amend the Federal Sentencing Guidelines and policy statements applicable to a person convicted of a criminal violation of section 503 of this title or any other Federal criminal law based on the theft of specified metal by such person.

(b) CONSIDERATIONS.—In carrying out this section, the Sentencing Commission shall—

- (1) ensure that the sentencing guidelines and policy statements reflect the—

(A) serious nature of the theft of specified metal; and

(B) need for an effective deterrent and appropriate punishment to prevent such theft;

- (2) consider the extent to which the guidelines and policy statements appropriately account for—

(A) the potential and actual harm to the public from the offense, including any damage to critical infrastructure;

(B) the amount of loss, or the costs associated with replacement or repair, attributable to the offense;

(C) the level of sophistication and planning involved in the offense; and

(D) whether the offense was intended to or had the effect of creating a threat to public health or safety, injury to another person, or death;

(3) account for any additional aggravating or mitigating circumstances that may justify exceptions to the generally applicable sentencing ranges;

(4) assure reasonable consistency with other relevant directives and with other sentencing guidelines and policy statements; and

(5) assure that the sentencing guidelines and policy statements adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code.

SEC. 509. STATE AND LOCAL LAW NOT PRE-EMPTED.

Nothing in this title shall be construed to preempt any State or local law regulating the sale or purchase of specified metal, the reporting of such transactions, or any other aspect of the metal recycling industry.

SEC. 510. EFFECTIVE DATE.

This title shall take effect 180 days after the date of enactment of this Act.

SA 1956. Ms. KLOBUCHAR (for herself, Mr. FRANKEN, and Mr. HOEVEN) submitted an amendment intended to be proposed by her to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 48, after line 16, add the following:

SEC. 4 _____. COORDINATION OF REFINERY OUTAGES.

Section 804 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17283) is amended to read as follows:

“SEC. 804. COORDINATION OF REFINERY OUTAGES.

“(a) DEFINITIONS.—In this section:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Energy Information Administration.

“(2) PLANNED REFINERY OUTAGE.—The term ‘planned refinery outage’ means a removal, scheduled before the date on which the removal occurs, of a refinery, or any unit of a refinery, from service for maintenance, repair, or modification.

“(3) REFINED PETROLEUM PRODUCT.—The term ‘refined petroleum product’ means any gasoline, diesel fuel, fuel oil, lubricating oil, liquid petroleum gas, or other petroleum distillate that is produced through the refining or processing of crude oil or an oil derived from tar sands, shale, or coal.

“(4) REFINERY.—The term ‘refinery’ means a facility used in the production of a refined petroleum product through distillation, cracking, or any other process.

“(5) UNPLANNED REFINERY OUTAGE.—The ‘unplanned refinery outage’ means the removal of a refinery, or any unit of a refinery, from service that is not scheduled in advance.

“(b) REPORTING REQUIREMENT.—The owner or operator of a refinery shall submit to the Administrator information describing—

“(1) the schedule of the refinery for any planned refinery outage, including—

“(A) the dates for the planned refinery outage at least 1 year in advance of the date of the expected outage or the date the outage is scheduled; and

“(B) the estimated inventories and production of refined petroleum products during the period described in subparagraph (A); and

“(2) any unplanned refinery outages as soon as practicable

“(c) REVIEW AND ANALYSIS OF AVAILABLE INFORMATION.—The Administrator shall, on an ongoing basis—

“(1) review information on planned refinery outages and unplanned refinery outages—

“(A) reported by refineries under subsection (b); and

“(B) that is available from commercial reporting services;

“(2) analyze that information to determine whether the scheduling of a planned refinery outage or an unplanned refinery outage may nationally or regionally substantially affect the price or supply of any refined petroleum product by—

“(A) decreasing the production of the refined petroleum product; and

“(B) causing or contributing to a retail or wholesale supply shortage or disruption; and

“(3) alert the Secretary of any refinery outage that the Administrator determines may nationally or regionally substantially affect the price or supply of a refined petroleum product.

“(d) ACTION BY SECRETARY.—On a determination by the Secretary that a refinery outage may affect the price or supply of a refined petroleum product, the Secretary shall make available to refinery operators information on planned refinery outages or unplanned refinery outages to prevent significant market disruptions.

“(e) LIMITATION.—Nothing in this section—

“(1) alters any existing legal obligation or responsibility of a refinery operator;

“(2) creates any legal right of action; or

“(3) authorizes the Secretary—

“(A) to prohibit a refinery operator from conducting a planned refinery outage; or

“(B) to require a refinery operator to continue to operate a refinery.

“(f) STUDY ON NATIONAL STRATEGIC REFINED PETROLEUM PRODUCTS RESERVE.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this sub-

section, the Secretary shall study and submit to Congress a report on the costs and benefits of creating a national strategic refined petroleum products reserve for refined petroleum products.

“(2) INFORMATION.—The report required under paragraph (1) shall include information on—

“(A) the days of existing storage capabilities within the different petroleum administration defense districts based on normal usage of refined petroleum products;

“(B) the feasibility of increasing storage capacity for refined petroleum products on a regional basis; and

“(C) the impact additional storage capacity would have on the retail price of refined petroleum products for consumers in the event of a supply shortage or market disruption from a natural disaster or refinery outage.”

SA 1957. Mr. UDALL of New Mexico (for himself, Mr. UDALL of Colorado, Mr. CARDIN, and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title IV, insert the following:

SEC. 4 _____. RENEWABLE ELECTRICITY STANDARD.

(a) IN GENERAL.—Title VI of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.) is amended by adding at the end the following:

“SEC. 610. RENEWABLE ELECTRICITY STANDARD.

“(a) DEFINITIONS.—In this section:

“(1) BASE QUANTITY OF ELECTRICITY.—

“(A) IN GENERAL.—The term ‘base quantity of electricity’ means the total quantity of electric energy sold by a retail electric supplier, expressed in terms of kilowatt hours, to electric customers for purposes other than resale during the most recent calendar year for which information is available.

“(B) EXCLUSIONS.—The term ‘base quantity of electricity’ does not include—

“(i) electric energy that is not incremental hydropower generated by a hydroelectric facility; and

“(ii) electricity generated through the incineration of municipal solid waste.

“(2) BIOMASS.—

“(A) IN GENERAL.—The term ‘biomass’ means—

“(i) cellulosic (plant fiber) organic materials from a plant that is planted for the purpose of being used to produce energy;

“(ii) nonhazardous plant or algal matter that is derived from—

“(I) an agricultural crop, crop byproduct, or residue resource; or

“(II) waste, such as landscape or right-of-way trimmings (but not including municipal solid waste, recyclable postconsumer waste paper, painted, treated, or pressurized wood, wood contaminated with plastic, or metals);

“(iii) animal waste or animal byproducts; and

“(iv) landfill methane.

“(B) NATIONAL FOREST LAND AND CERTAIN OTHER PUBLIC LAND.—In the case of organic material removed from National Forest System land or from public land administered by the Secretary of the Interior, the term ‘biomass’ means only organic material from—

“(i) ecological forest restoration;

“(ii) precommercial thinnings;

“(iii) brush;

“(iv) mill residues; or

“(v) slash.

“(C) EXCLUSION OF CERTAIN FEDERAL LAND.—Notwithstanding subparagraph (B),

the term 'biomass' does not include material or matter that would otherwise qualify as biomass if the material or matter is located on the following Federal land:

“(i) Federal land containing old growth forest or late successional forest unless the Secretary of the Interior or the Secretary of Agriculture determines that the removal of organic material from the land—

“(I) is appropriate for the applicable forest type; and

“(II) maximizes the retention of—

“(aa) late-successional and large and old growth trees;

“(bb) late-successional and old growth forest structure; and

“(cc) late-successional and old growth forest composition.

“(ii) Federal land on which the removal of vegetation is prohibited, including components of the National Wilderness Preservation System.

“(iii) Wilderness study areas.

“(iv) Inventoried roadless areas.

“(v) Components of the National Landscape Conservation System.

“(vi) National Monuments.

“(3) EXISTING FACILITY.—The term ‘existing facility’ means a facility for the generation of electric energy from a renewable energy resource that is not an eligible facility.

“(4) INCREMENTAL HYDROPOWER.—The term ‘incremental hydropower’ means additional generation that is achieved from increased efficiency or additions of capacity made on or after—

“(A) the date of enactment of this section; or

“(B) the effective date of an existing applicable State renewable portfolio standard program at a hydroelectric facility that was placed in service before that date.

“(5) INDIAN LAND.—The term ‘Indian land’ means—

“(A) any land within the limits of any Indian reservation, pueblo, or rancharia;

“(B) any land not within the limits of any Indian reservation, pueblo, or rancharia title to which was on the date of enactment of this section held by—

“(i) the United States for the benefit of any Indian tribe or individual; or

“(ii) any Indian tribe or individual subject to restriction by the United States against alienation;

“(C) any dependent Indian community; or

“(D) any land conveyed to any Alaska Native corporation under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

“(6) INDIAN TRIBE.—The term ‘Indian tribe’ means any Indian tribe, band, nation, or other organized group or community, including any Alaskan Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

“(7) RENEWABLE ENERGY.—The term ‘renewable energy’ means electric energy generated by a renewable energy resource.

“(8) RENEWABLE ENERGY RESOURCE.—The term ‘renewable energy resource’ means solar, wind, ocean, tidal, geothermal energy, biomass, landfill gas, incremental hydropower, or hydrokinetic energy.

“(9) REPOWERING OR COFIRING INCREMENT.—The term ‘repowering or cofiring increment’ means—

“(A) the additional generation from a modification that is placed in service on or after the date of enactment of this section, to expand electricity production at a facility used to generate electric energy from a renewable energy resource;

“(B) the additional generation above the average generation during the 3-year period ending on the date of enactment of this section at a facility used to generate electric energy from a renewable energy resource or to cofire biomass that was placed in service before the date of enactment of this section; or

“(C) the portion of the electric generation from a facility placed in service on or after the date of enactment of this section, or a modification to a facility placed in service before the date of enactment of this section made on or after January 1, 2001, associated with cofiring biomass.

“(10) RETAIL ELECTRIC SUPPLIER.—

“(A) IN GENERAL.—The term ‘retail electric supplier’ means a person that sells electric energy to electric consumers that sold not less than 1,000,000 megawatt hours of electric energy to electric consumers for purposes other than resale during the preceding calendar year.

“(B) INCLUSION.—The term ‘retail electric supplier’ includes a person that sells electric energy to electric consumers that, in combination with the sales of any affiliate organized after the date of enactment of this section, sells not less than 1,000,000 megawatt hours of electric energy to consumers for purposes other than resale.

“(C) SALES TO PARENT COMPANIES OR AFFILIATES.—For purposes of this paragraph, sales by any person to a parent company or to other affiliates of the person shall not be treated as sales to electric consumers.

“(D) GOVERNMENTAL AGENCIES.—

“(i) IN GENERAL.—Except as provided in clause (ii), the term ‘retail electric supplier’ does not include—

“(I) the United States, a State, any political subdivision of a State, or any agency, authority, or instrumentality of the United States, State, or political subdivision; or

“(II) a rural electric cooperative.

“(ii) INCLUSION.—The term ‘retail electric supplier’ includes an entity that is a political subdivision of a State, or an agency, authority, or instrumentality of the United States, a State, a political subdivision of a State, a rural electric cooperative that sells electric energy to electric consumers, or any other entity that sells electric energy to electric consumers that would not otherwise qualify as a retail electric supplier if the entity notifies the Secretary that the entity voluntarily agrees to participate in the Federal renewable electricity standard program.

“(b) COMPLIANCE.—For calendar year 2014 and each calendar year thereafter, each retail electric supplier shall meet the requirements of subsection (c) by submitting to the Secretary, not later than April 1 of the following calendar year, 1 or more of the following:

“(1) Federal renewable energy credits issued under subsection (e).

“(2) Certification of the renewable energy generated and electricity savings pursuant to the funds associated with State compliance payments as specified in subsection (e)(4)(G).

“(3) Alternative compliance payments pursuant to subsection (h).

“(c) REQUIRED ANNUAL PERCENTAGE.—For each of calendar years 2014 through 2039, the required annual percentage of the base quantity of electricity of a retail electric supplier that shall be generated from renewable energy resources, or otherwise credited towards the percentage requirement pursuant to subsection (d), shall be the applicable percentage specified in the following table:

Calendar Years	Required Amount percentage
2014	6.0

2015	8.5
2016	11.0
2017	11.0
2018	14.0
2019	14.0
2020	17.5
2021	17.5
2022	21.0
2023	21.0
2024	23.0

2025 and thereafter through 2039 25.0.

“(d) RENEWABLE ENERGY CREDITS.—

“(1) IN GENERAL.—A retail electric supplier may satisfy the requirements of subsection (b)(1) through the submission of Federal renewable energy credits—

“(A) issued to the retail electric supplier under subsection (e);

“(B) obtained by purchase or exchange under subsection (f); or

“(C) borrowed under subsection (g).

“(2) FEDERAL RENEWABLE ENERGY CREDITS.—A Federal renewable energy credit may be counted toward compliance with subsection (b)(1) only once.

“(e) ISSUANCE OF FEDERAL RENEWABLE ENERGY CREDITS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall establish by rule a program—

“(A) to verify and issue Federal renewable energy credits to generators of renewable energy;

“(B) to track the sale, exchange, and retirement of the credits; and

“(C) to enforce the requirements of this section.

“(2) EXISTING NON-FEDERAL TRACKING SYSTEMS.—To the maximum extent practicable, in establishing the program, the Secretary shall rely on existing and emerging State or regional tracking systems that issue and track non-Federal renewable energy credits.

“(3) APPLICATION.—

“(A) IN GENERAL.—An entity that generates electric energy through the use of a renewable energy resource may apply to the Secretary for the issuance of renewable energy credits.

“(B) ELIGIBILITY.—To be eligible for the issuance of the credits, the applicant shall demonstrate to the Secretary that—

“(i) the electric energy will be transmitted onto the grid; or

“(ii) in the case of a generation offset, the electric energy offset would have otherwise been consumed onsite.

“(C) CONTENTS.—The application shall indicate—

“(i) the type of renewable energy resource that is used to produce the electricity;

“(ii) the location at which the electric energy will be produced; and

“(iii) any other information the Secretary determines appropriate.

“(4) QUANTITY OF FEDERAL RENEWABLE ENERGY CREDITS.—

“(A) IN GENERAL.—Except as otherwise provided in this paragraph, the Secretary shall issue to a generator of electric energy 1 Federal renewable energy credit for each kilowatt hour of electric energy generated by the use of a renewable energy resource at an eligible facility.

“(B) INCREMENTAL HYDROPOWER.—

“(i) IN GENERAL.—For purpose of compliance with this section, Federal renewable energy credits for incremental hydropower shall be based on the increase in average annual generation resulting from the efficiency improvements or capacity additions.

“(ii) WATER FLOW INFORMATION.—The incremental generation shall be calculated using the same water flow information that is—

“(I) used to determine a historic average annual generation baseline for the hydroelectric facility; and

“(II) certified by the Secretary or the Federal Energy Regulatory Commission.

“(iii) OPERATIONAL CHANGES.—The calculation of the Federal renewable energy credits for incremental hydropower shall not be based on any operational changes at the hydroelectric facility that is not directly associated with the efficiency improvements or capacity additions.

“(C) INDIAN LAND.—

“(i) IN GENERAL.—The Secretary shall issue 2 renewable energy credits for each kilowatt hour of electric energy generated and supplied to the grid in a calendar year through the use of a renewable energy resource at an eligible facility located on Indian land.

“(ii) BIOMASS.—For purposes of this paragraph, renewable energy generated by biomass cofired with other fuels is eligible for 2 credits only if the biomass was grown on the land.

“(D) ON-SITE ELIGIBLE FACILITIES.—

“(i) IN GENERAL.—In the case of electric energy generated by a renewable energy resource at an on-site eligible facility that is not larger than 1 megawatt in capacity and is used to offset all or part of the requirements of a customer for electric energy, the Secretary shall issue 3 renewable energy credits to the customer for each kilowatt hour generated.

“(ii) INDIAN LAND.—In the case of an on-site eligible facility on Indian land, the Secretary shall issue not more than 3 credits per kilowatt hour.

“(E) COMBINATION OF RENEWABLE AND NON-RENEWABLE ENERGY RESOURCES.—If both a renewable energy resource and a nonrenewable energy resource are used to generate the electric energy, the Secretary shall issue the Federal renewable energy credits based on the proportion of the renewable energy resources used.

“(F) RETAIL ELECTRIC SUPPLIERS.—If a generator has sold electric energy generated through the use of a renewable energy resource to a retail electric supplier under a contract for power from an existing facility and the contract has not determined ownership of the Federal renewable energy credits associated with the generation, the Secretary shall issue the Federal renewable energy credits to the retail electric supplier for the duration of the contract.

“(G) COMPLIANCE WITH STATE RENEWABLE PORTFOLIO STANDARD PROGRAMS.—Payments made by a retail electricity supplier, directly or indirectly, to a State for compliance with a State renewable portfolio standard program, or for an alternative compliance mechanism, shall be valued at 1 credit per kilowatt hour for the purpose of subsection (b)(2) based on the quantity of electric energy generation from renewable resources that results from the payments.

“(f) RENEWABLE ENERGY CREDIT TRADING.—

“(1) IN GENERAL.—A Federal renewable energy credit may be sold, transferred, or exchanged by the entity to whom the credit is issued or by any other entity that acquires the Federal renewable energy credit, other than renewable energy credits from existing facilities.

“(2) CARRYOVER.—A Federal renewable energy credit for any year that is not submitted to satisfy the minimum renewable

generation requirement of subsection (c) for that year may be carried forward for use pursuant to subsection (b)(1) within the next 3 years.

“(3) DELEGATION.—The Secretary may delegate to an appropriate market-making entity the administration of a national tradeable renewable energy credit market for purposes of creating a transparent national market for the sale or trade of renewable energy credits.

“(g) RENEWABLE ENERGY CREDIT BORROWING.—

“(1) IN GENERAL.—Not later than December 31, 2014, a retail electric supplier that has reason to believe the retail electric supplier will not be able to fully comply with subsection (b) may—

“(A) submit a plan to the Secretary demonstrating that the retail electric supplier will earn sufficient Federal renewable energy credits within the next 3 calendar years that, when taken into account, will enable the retail electric supplier to meet the requirements of subsection (b) for calendar year 2014 and the subsequent calendar years involved; and

“(B) on the approval of the plan by the Secretary, apply Federal renewable energy credits that the plan demonstrates will be earned within the next 3 calendar years to meet the requirements of subsection (b) for each calendar year involved.

“(2) REPAYMENT.—The retail electric supplier shall repay all of the borrowed Federal renewable energy credits by submitting an equivalent number of Federal renewable energy credits, in addition to the credits otherwise required under subsection (b), by calendar year 2022 or any earlier deadlines specified in the approved plan.

“(h) ALTERNATIVE COMPLIANCE PAYMENTS.—As a means of compliance under subsection (b)(4), the Secretary shall accept payment equal to the lesser of—

“(1) 200 percent of the average market value of Federal renewable energy credits and Federal energy efficiency credits for the applicable compliance period; or

“(2) 3 cents per kilowatt hour (as adjusted on January 1 of each year following calendar year 2006 based on the implicit price deflator for the gross national product).

“(i) INFORMATION COLLECTION.—The Secretary may collect the information necessary to verify and audit—

“(1)(A) the annual renewable energy generation of any retail electric supplier; and

“(B) Federal renewable energy credits submitted by a retail electric supplier pursuant to subsection (b)(1);

“(2) the validity of Federal renewable energy credits submitted for compliance by a retail electric supplier to the Secretary; and

“(3) the quantity of electricity sales of all retail electric suppliers.

“(j) ENVIRONMENTAL SAVINGS CLAUSE.—Incremental hydropower shall be subject to all applicable environmental laws and licensing and regulatory requirements.

“(k) STATE PROGRAMS.—

“(1) IN GENERAL.—Nothing in this section diminishes any authority of a State or political subdivision of a State—

“(A) to adopt or enforce any law (including regulations) respecting renewable energy, including programs that exceed the required quantity of renewable energy under this section; or

“(B) to regulate the acquisition and disposition of Federal renewable energy credits by retail electric suppliers.

“(2) COMPLIANCE WITH SECTION.—No law or regulation referred to in paragraph (1)(A) shall relieve any person of any requirement otherwise applicable under this section.

“(3) COORDINATION WITH STATE PROGRAM.—The Secretary, in consultation with States

that have in effect renewable energy programs, shall—

“(A) preserve the integrity of the State programs, including programs that exceed the required quantity of renewable energy under this section; and

“(B) facilitate coordination between the Federal program and State programs.

“(4) EXISTING RENEWABLE ENERGY PROGRAMS.—In the regulations establishing the program under this section, the Secretary shall incorporate common elements of existing renewable energy programs, including State programs, to ensure administrative ease, market transparency and effective enforcement.

“(5) MINIMIZATION OF ADMINISTRATIVE BURDENS AND COSTS.—In carrying out this section, the Secretary shall work with the States to minimize administrative burdens and costs to retail electric suppliers.

“(1) RECOVERY OF COSTS.—An electric utility that has sales of electric energy that are subject to rate regulation (including any utility with rates that are regulated by the Commission and any State regulated electric utility) shall not be denied the opportunity to recover the full amount of the prudently incurred incremental cost of renewable energy obtained to comply with the requirements of subsection (b).

“(m) PROGRAM REVIEW.—

“(1) IN GENERAL.—The Secretary shall enter into an arrangement with the National Academy of Sciences under which the Academy shall conduct a comprehensive evaluation of all aspects of the program established under this section.

“(2) EVALUATION.—The study shall include an evaluation of—

“(A) the effectiveness of the program in increasing the market penetration and lowering the cost of the eligible renewable energy technologies;

“(B) the opportunities for any additional technologies and sources of renewable energy emerging since the date of enactment of this section;

“(C) the impact on the regional diversity and reliability of supply sources, including the power quality benefits of distributed generation;

“(D) the regional resource development relative to renewable potential and reasons for any investment in renewable resources; and

“(E) the net cost/benefit of the renewable electricity standard to the national and State economies, including—

“(i) retail power costs;

“(ii) the economic development benefits of investment;

“(iii) avoided costs related to environmental and congestion mitigation investments that would otherwise have been required;

“(iv) the impact on natural gas demand and price; and

“(v) the effectiveness of green marketing programs at reducing the cost of renewable resources.

“(3) REPORT.—Not later than January 1, 2018, the Secretary shall transmit to Congress a report describing the results of the evaluation and any recommendations for modifications and improvements to the program.

“(n) STATE RENEWABLE ENERGY ACCOUNT.—

“(1) IN GENERAL.—There is established in the Treasury a State renewable energy account.

“(2) DEPOSITS.—All money collected by the Secretary from the alternative compliance payments under subsection (h) shall be deposited into the State renewable energy account established under paragraph (1).

“(3) GRANTS.—

“(A) IN GENERAL.—Proceeds deposited in the State renewable energy account shall be used by the Secretary, subject to annual appropriations, for a program to provide grants—

“(i) to the State agency responsible for administering a fund to promote renewable energy generation for customers of the State or an alternative agency designated by the State; or

“(ii) if no agency described in clause (i), to the State agency developing State energy conservation plans under section 362 of the Energy Policy and Conservation Act (42 U.S.C. 6322).

“(B) USE.—The grants shall be used for the purpose of—

“(i) promoting renewable energy production; and

“(ii) providing energy assistance and weatherization services to low-income consumers.

“(C) CRITERIA.—The Secretary may issue guidelines and criteria for grants awarded under this paragraph.

“(D) STATE-APPROVED FUNDING MECHANISMS.—At least 75 percent of the funds provided to each State for each fiscal year shall be used to promote renewable energy production through grants, production incentives, or other State-approved funding mechanisms.

“(E) ALLOCATION.—The funds shall be allocated to the States on the basis of retail electric sales subject to the renewable electricity standard under this section or through voluntary participation.

“(F) RECORDS.—State agencies receiving grants under this paragraph shall maintain such records and evidence of compliance as the Secretary may require.”

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. prec. 2601) is amended by adding at the end of the items relating to title VI the following:

“Sec. 609. Rural and remote communities electrification grants.

“Sec. 610. Renewable electricity standard.”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Commerce, Science and Transportation be authorized to meet during the session of the Senate on September 18, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Commerce, Science and Transportation be authorized to meet during the session of the Senate on September 18, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on September 18, 2013, at 10 a.m. in room 406 of the

Dirksen Senate office building, to conduct a hearing entitled, “Implementing MAP-21’s Provision to Accelerate Project Delivery.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on September 18, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on September 18, 2013, at 10 a.m. in room SD-430 of the Dirksen Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 18, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on September 18, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on September 18, 2013, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Reevaluating the Effectiveness of Federal Mandatory Minimum Sentences.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Small Business and entrepreneurship be authorized to meet during the session of the Senate on September 18, 2013, at 10 a.m. in Room 428A Russell Senate Office Building to conduct a roundtable entitled “Closing the Wealth Gap: Empowering Minority Owned Businesses to Reach Their Full Potential for Growth and Job Creation.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. PRYOR. Mr. President, I ask unanimous consent that the Special

Committee on Aging be authorized to meet during the session of the Senate September 18, 2013, to conduct a hearing entitled “Older Americans: The Changing Face of HIV/AIDS.”

The Committee will meet in room 562 of the Dirksen Senate Office Building beginning at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ECONOMIC POLICY

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Economic Policy be authorized to meet during the session of the Senate on September 18, 2013, at 2:30 p.m. to conduct a hearing entitled “Implementation of the Biggert-Waters Flood Insurance Act of 2012: One Year After Enactment.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Housing, Transportation, and Community Development be authorized to meet during the session of the Senate on September 18, 2013, at 10:30 a.m. to conduct a hearing entitled “Recovering From Superstorm Sandy: Assessing the Progress, Continuing Needs, and Rebuilding Strategy.”

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DAY OF REMEMBRANCE FOR NUCLEAR WEAPONS PROGRAM WORKERS

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 164 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 164) designating October 30, 2013, as a national day of remembrance for nuclear weapons program workers.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 164) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

NATIONAL HISPANIC-SERVING
INSTITUTIONS WEEK

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 240, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 240) designating the week beginning September 15, 2013, as "National Hispanic-Serving Institutions Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 240) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR THURSDAY,
SEPTEMBER 19, 2013

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, September 19, 2013, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; and that following morning business the Senate resume consideration of S. 1392, the Energy Savings and Industrial Competitiveness Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. REID. There being no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:07 p.m., adjourned until Thursday, September 19, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

UNITED STATES TAX COURT

TAMARA WENDA ASHFORD, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS, VICE MARY ANN COHEN, RETIRED.

DEPARTMENT OF STATE

RICHARD STENGEL, OF NEW YORK, TO BE UNDER SECRETARY OF STATE FOR PUBLIC DIPLOMACY, VICE TARA D. SONENSHINE.

DEPARTMENT OF JUSTICE

LESLIE RAGON CALDWELL, OF NEW YORK, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE LANNY A. BREUER, RESIGNED.